

EXHIBIT 1

CHAPTER 1975

An act conveying in trust certain tidelands and submerged lands lying under the waters of the Pacific Ocean to the City of Palos Verdes Estates in furtherance of navigation and commerce and the fisheries and providing for the government, management and control thereof and reserving rights to the State.

[Approved by Governor July 19, 1963. Filed with Secretary of State July 24, 1963.]

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Palos Verdes Estates, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all tidelands and submerged lands, whether filled or unfilled, which are described as follows:

That part of State owned tide and submerged land which lies directly joining the Mean High Tide Line of the Pacific Ocean along the City of Palos Verdes Estates, California, and is limited to the following extent:

In the south by a line which is a westerly prolongation of the southerly boundary of Tract 4400, as recorded in Book 72, pages 95-96 of Maps in the office of the Recorder of Los Angeles County.

In the north by a line which is a westerly prolongation of the northerly boundary of Tract 4400 as recorded in Book 72, pages 95-96 of Maps in the office of the Recorder of Los Angeles County.

In the east by the Mean High Tide Line of the Pacific Ocean between the above described southerly and northerly limits.

In the west by the southwesterly boundary of the County of Los Angeles between the above described southerly and northerly limits.

To be forever held by said city and by its successors in trust for the use and purposes, and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and its successors for purposes in which there is a general statewide interest as follows:

(1) For the establishment, improvement and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of commerce and navigation.

(2) For the establishment, improvement and conduct of an airport and heliport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, reconstruction, re-

pair, maintenance and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, building, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(3) For the construction, reconstruction, repair and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary or convenient for the promotion and accommodation of any of the uses set forth in this Section 1.

(4) For the construction, reconstruction, repair, maintenance and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including but not limited to public golf courses, and for all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any such uses.

(5) For the establishment, improvement and conduct of small boat harbors, marinas, aquatic playgrounds and similar recreational facilities, and for the construction, reconstruction, repair, maintenance and operation of all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any of such uses, including but not limited to snackbars, cafés, restaurants, motels, hotels, apartments, residences, launching ramps and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways and landscaped areas.

(b) Said city, or its successors shall not, at any time, grant, convey, give or alienate said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, not exceeding 66 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation, and collect and retain rents and other revenues from such leases, franchises and privileges. Such lease or leases, franchises and privileges may be for any and all purposes which shall not interfere with commerce and navigation.

Nothing contained in this paragraph (a) shall be deemed to affect the validity or term of any franchise previously granted by said city under the Franchise Act of 1937 (Chapter 2 (commencing at Section 6101), of Division 3 of the Pub-

lic Utilities Code), and any such franchise shall be effective with respect to said land when title thereto passes to said city hereunder.

(c) Said lands shall be improved without expense to the State; provided, however, that nothing contained in this act shall preclude expenditures for the development of said lands for any public purpose not inconsistent with commerce, navigation and fishery, by the State, or any board, agency or commission thereof, when authorized or approved by the city, nor by the city of any funds received for such purpose from the State or any board, agency or commission thereof.

(d) In the management, conduct, operation and control of said lands or any improvements, betterments, or structures thereon, the city or its successors shall make no discrimination in rates, tolls or charges for any use or service in connection therewith.

(e) The State of California shall have the right to use without charge any transportation, landing or storage improvements, betterments or structures constructed upon said lands for any vessel or other watercraft or railroad owned or operated by the State of California.

(f) There is hereby reserved to the people of the State of California the right to fish in the waters on said lands with the right of convenient access to said water over said lands for said purpose.

(g) There is hereby excepted and reserved in the State of California all deposits of minerals, including oil and gas, in said lands, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said lands.

(h) Said lands are granted subject to the express reservation and condition that the State may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements, betterments or structures have been placed upon the property taken by the State for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements, betterments or structures taken or the damages to such interest.

(i) The State Lands Commission shall, at the cost of the city, survey and monument the granted lands and record a description and plat thereof in the office of the County Recorder of Los Angeles County.

(j) Within 10 years from the effective date of this act the granted lands shall be substantially improved by the city without expense to the State and if the State Lands Commission determines that the city has failed to improve said lands as herein required, all right, title, and interest of said city in

and to all lands granted by this act shall cease and all said right, title and interest in the granted lands shall revert and rest in the State.

EXHIBIT 2

CHAPTER 316

An act to amend Section 1 of Chapter 1975 of the Statutes of 1963, relating to tide and submerged lands granted in trust to the City of Palos Verdes Estates.

[Approved by Governor June 17, 1968. Filed with Secretary of State June 17, 1968.]

The people of the State of California do enact as follows:

SECTION 1. Section 1 of Chapter 1975 of the Statutes of 1963 is amended to read:

Section 1. There is hereby granted to the City of Palos Verdes Estates, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said state by virtue of its sovereignty in and to all tidelands and submerged lands, whether filled or unfilled, which are described as follows:

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(a) That said lands shall be used by said city and its successors for purposes in which there is a general statewide interest as follows:

(1) For the establishment, improvement and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of commerce and navigation.

(2) For the establishment, improvement and conduct of an airport and heliport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, building, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(3) For the construction, reconstruction, repair and maintenance of highways, streets, roadways, bridges, belt line railroads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary or convenient for the promotion and accommodation of any of the uses set forth in this Section 1.

(4) For the construction, reconstruction, repair, maintenance and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including but not limited to public golf courses, and for all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any such uses.

(5) For the establishment, improvement and conduct of small boat harbors, marinas, aquatic playgrounds and similar recreational facilities, and for the construction, reconstruction, repair, maintenance and operation of all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any of such uses, including but not limited to snackbars, cafés, restaurants, motels, hotels, launching ramps and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations

and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways and landscaped areas.

(6) For the establishment, preservation, restoration, improvement, or maintenance of intertidal and subtidal marine biological reserves, restoration and maintenance of kelp forests, abalone and other shellfish and related fishery resources, development of nature study trails and areas, exhibits, research projects, preservation of areas of unique ocean phenomena for activities such as surfing and other water sports, and the natural beauty and biological resources and activities related thereto, subject to the prior approval of the Fish and Game Commission as to those matters which are subject to regulation by the commission, pursuant to the Fish and Game Code.

(b) Said city, or its successors shall not, at any time, grant, convey, give or alienate said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, not exceeding 66 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation, and collect and retain rents and other revenues from such leases, franchises and privileges. Such lease or leases, franchises and privileges may be for any and all purposes which shall not interfere with commerce and navigation.

Nothing contained in this paragraph (a) shall be deemed to affect the validity or term of any franchise previously granted by said city under the Franchise Act of 1937 (Chapter 2 (commencing at Section 6101), of Division 3 of the Public Utilities Code), and any such franchise shall be effective with respect to said land when title thereto passes to said city hereunder.

(c) Said lands shall be improved without expense to the state; provided, however, that nothing contained in this act shall preclude expenditures for the development of said lands for any public purpose not inconsistent with commerce, navigation and fishery, by the state, or any board, agency or commission thereof, when authorized or approved by the city, nor by the city of any funds received for such purpose from the state or any board, agency or commission thereof.

(d) In the management, conduct, operation and control of said lands or any improvements, betterments, or structures thereon, the city or its successors shall make no discrimination in rates, tolls or charges for any use or service in connection therewith.

(e) The State of California shall have the right to use without charge any transportation, landing or storage improvements, betterments or structures constructed upon said lands for any vessel or other watercraft or railroad owned or operated by the State of California.

(f) There is hereby reserved to the people of the State of California the right to fish in the waters on said lands with the right of convenient access to said water over said lands for said purpose.

(g) There is hereby excepted and reserved in the State of California all deposits of minerals, including oil and gas, in said lands, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said lands.

(h) Said lands are granted subject to the express reservation and condition that the state may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements, betterments or structures have been placed upon the property taken by the state for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements, betterments or structures taken or the damages to such interest.

(i) The State Lands Commission shall, at the cost of the city, survey and monument the granted lands and record a description and plat thereof in the office of the County Recorder of Los Angeles County.

(j) Within 10 years from the effective date of this act the granted lands shall be substantially improved, restored, preserved, or maintained by the city without expense to the state and if the State Lands Commission determines that the city has failed to improve, restore, preserve, or maintain said lands as herein required, all right, title, and interest of said city in and to all lands granted by this act shall cease and all said right, title and interest in the granted lands shall revert and rest in the state.

Passed the Senate May 13, 1968

CHAPTER

An act to amend Section 1 of Chapter 1975 of the Statutes of 1963, relating to tide and submerged lands granted in trust to the City of Palos Verdes Estates.

The people of the State of California do enact as follows:

SECTION 1. Section 1 of Chapter 1975 of the Statutes of 1963 is amended to read:

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Secretary of the Senate

Passed the Assembly June 10, 1968

Chief Clerk of the Assembly

This bill was received by the Governor this 17

day of JUNE, 1968, at o'clock M.

Private Secretary of the Governor

Compliments of

(2) For the establishment, improvement and conduct of an airport and heliport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, building, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of air commerce and air navigation.

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(d) In the management, conduct, operation and control of said lands or any improvements, betterments, or structures thereon, the city or its successors shall make no discrimination in rates, tolls or charges for any use or service in connection therewith.

(e) The State of California shall have the right to use without charge any transportation, landing or storage improvements, betterments or structures constructed upon said lands for any vessel or other watercraft or railroad owned or operated by the State of California.

(f) There is hereby reserved to the people of the State of California the right to fish in the waters on said lands with the right of convenient access to said water over said lands for said purpose.

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(h) Said lands are granted subject to the express reservation and condition that the state may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements, betterments or structures have been placed upon the property taken by the state for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements, betterments or structures taken or the damages to such interest.

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NEW
WORDS

President of the Senate

Speaker of the Assembly

Approved JUNE 17, 1968

Governor

EXHIBIT 3



INCORPORATED 1939

CALIFORNIA

SHORELINE PRESERVE MASTER PLAN

MASTER PLAN FOR PALOS VERDES ESTATES

SHORELINE PRESERVE

March 10, 1970

March 9, 1970.

MEMO TO: Mayor and City Council
FROM: Anne F. Leeper, Chairman, Planning Commission
RE: Master Plan for Palos Verdes Estates Shoreline Preserve.

In accordance with the direction of the Council in its Resolution No. 648 (designating the Palos Verdes Estates Shoreline Preserve), the Planning Commission submits herewith a master plan for development of the City's coastline area in a manner that will, insofar as possible, accomplish two objectives that appear at first glance to be contradictory:

- (1) to "preserve and maintain its natural state" and
- (2) to undertake both short- and long-term improvements designed to increase safety of access, enhance the appearance, and satisfy the requirements of the State's grant of the submerged lands to the City.

The attached report, as prepared by Mr. Smalley and Mr. Coakley, has been considered in detail by the entire Planning Commission. At its meeting of March 2, 1970, the Commission gave unanimous approval to the final draft, and directed that the report be forwarded for Council consideration. Please advise if any further information is required.

Anne F. Leeper

MASTER PLAN FOR PALOS VERDES ESTATES
SHORELINE PRESERVE

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See map of Shoreline Preserve in rear pocket.

I. INTRODUCTION

Established by Resolution of the City Council, dated January 28, 1969, the "Palos Verdes Estates Shoreline Preserve" (Exhibit I), constitutes an asset of priceless value. It consists of two major portions: (a) a continuous strip of City owned parkland containing one hundred thirty acres contiguous with and running the full length of the City's four and one-half mile shoreline; and (b) submerged lands extending from the City mean-high tide boundary to the county boundary in the ocean.

Palos Verdes Estates has the rather unique opportunity to develop long range plans for the Preserve from the position of direct ownership. As our population increases, we will be subject to intense pressures from both within and outside of our City for undesirable improvements within the area included in the Preserve. The Planning Commission understands that the majority of residents would like to see the natural beauty of our shores protected. In the absence of any plan, small increment by small increment, the shoreline is losing the very values the residents would like to see preserved.

Accordingly, the Planning Commission proposes for City Council consideration a program for the shoreline that will preserve and maintain its natural state; favor current limited recreational uses; and support expanded educational and scientific activities. The program, as developed in detail in the following report, includes specific recommendations for regulation of uses, clean-up, access improvements, and cooperative efforts with organizations interested in shoreline activities and preservation that will further the City's interests in conservation and compatible uses.

II. EXISTING PATTERNS OF PUBLIC USE

For the most part, our shoreline is in a relatively natural condition, and uncontrolled use by the general public has produced difficulties. A spider-web of trails descends most of the precipitous cliffs that edge the Peninsula and many of these are hazardous in the extreme. Every year accidents occur and injured people must be hauled up from the shore or from perilous locations on the cliff itself. The public has strewn much of our cliffland, beaches and intertidal zone with debris of one sort or another, ranging from papers and broken bottles to automobiles which have been pushed off of cliffs where there is easy road access. All of this is unsightly and some a health hazard. In some places along the cliff, developments have caused erosion to occur at a much more rapid rate than it normally does, resulting in coverage of beaches with rocks, mud, and gravel and also resulting in the localized retrenchment of the cliffs themselves. Thus far, there have been no dangerous developments from the retrenchment that have seriously threatened property, but it is not beyond possibility that this could occur.

Among the visitors to our shoreline, we have long had educators; students, and scientists who have used the remarkable fauna and flora of our shores for teaching and research purposes. To a lesser degree, our own school system has used the shoreline for its purposes though, for the most part, classes from the Palos Verdes School District have been unable to reach the intertidal zone because of the hazards of trails descending the cliffsides. The scientific use of the intertidal zone is on the increase and though it is completely admirable in its ends, it too needs to be controlled so

that fauna and flora do not become decimated.

Other visitors to the shoreline are fishermen, swimmers, skin divers, surfers, and picknickers, and those who gather intertidal animals such as the octopus and owl limpets for food. Often these latter animals are collected by poisons such as chlorox or copper sulfate which kill considerable areas around their point of application. Together these activities place the shoreline under severe pressure at several points. Every new development in the shoreline can be expected to increase foot traffic unless it is specifically controlled, and these problems can be expected to increase. In particular, it has been difficult to control the passage of the public across private lands at the top of the cliffs with consequent damage of gardens, hedges, and so forth. Parking and traffic on the streets during weekends has become a problem in some areas.

III. OBJECTIVES

The primary objective in planning for the future is to preserve the shoreline of Palos Verdes Estates in its natural state as nearly as is possible, while at the same time providing for the use and maintenance of the area in a manner and under conditions which will not conflict with that primary objective. Toward this end, the recommendations made by the Commission are set out below in three categories:

- A. Conservation: Preservation and Maintenance
- B. Recreation
- C. Education

In developing its recommendations, the Commission also took note of

the many secondary or corollary objectives in the light of which each suggestion should be evaluated:

Protect and Restore the Indigenous Ecology - The seemingly modest plants and animals living in the unique intertidal zone of Palos Verdes are a priceless resource for scientific research. Several unique indigenous plants occur in several cliff areas. The ecological balance on the shoreline is relatively delicate and is easily disrupted by man's indiscriminate abuse. These resources should be maintained and guarded so that it may continue to be available for the scientist, educator and layman, but without decimating the environment through overuse.

Maintain and Enhance Existing Recreation Uses - The access trails and parking improvements recommended in this report favor current recreation uses as well as educational and scientific uses and conservation objectives. It is not believed that the regenerative program proposed or the establishment of limited closed areas for research would adversely affect recreation uses.

Retain Local Control of Submerged Land Uses - A most vital requirement of any proposed improvement is the ability of the City to maintain effective control of all parts of the Shoreline Preserve.

Deter Adverse Developments of Adjacent State and Federal Submerged Lands - Only if the City has taken positive steps to insure that the scenic beauty and wildlife environment of the PVE coastline will be preserved as an asset of immeasurable value to the people of the City, the Peninsula

community and of the State of California is it likely that any unacceptable County, State or Federal use of adjacent submerged lands can be successfully deterred. Even with the declaration of a conservatory zone - as in the case of Santa Barbara - unacceptable uses may be authorized on Federal lands. Nonetheless, the first step to State and eventual Federal legislative action to protect our coastline is necessarily commitment of local government to conservation uses in the public interest.

Preserve Residential Character of Adjacent Property - Conservation oriented improvements of our tidelands will satisfy the requirements of the PVE Tideland Grant. Much more than construction oriented improvements, they will enable us to maintain the residential character of our City. As a residential community it is logical to minimize the promotion of activities which would develop high foot and automobile traffic densities.

Perfect Tideland Grant - Under the terms of the legislation, as amended, that grants to the City the rights of the State of California to the submerged lands incorporated in the Shoreline Preserve, if the State Lands Commission should after September 20, 1973 determine that the City has not "substantially improved, restored, preserved or maintained the lands as required by such grant, all rights thereto would revert to the State. Reversion of these lands to the State would defeat the objective of local control of submerged land uses. A program intended to preclude such reversion is herein proposed. It is in the best interests of the City to assure that our shoreline preserve plan satisfies the requirements of this Legislation.

IV. CURRENT USAGE AND RECOMMENDATIONS FOR FUTURE CONSERVATION AND USE

In line with the primary objectives stated above, the Commission developed its study of the Shoreline Preserve area as it presently exists, and its recommendations for the future of this area, under the following general headings:

A. Conservation: Preservation and Maintenance.

Present Status:- Present activities tend to debilitate the natural resources and erode the land. There is no formal program for either conservation or maintenance. Trash accumulates. New trails are cut by use indiscriminately. Visitors are not even urged by appropriate posting not to litter or in any other way despoil the natural beauty.

Recommendations:

1. Establish Sign Posting Program - The City should post signs identifying the Shoreline Preserve. Uniform signs containing suitable symbols as well as the name should be utilized. Appendix III describes how a neptune theme might be incorporated. This approach would enhance the image of an integrated and well coordinated shoreline program.

In addition to the basic identification signs, a number of instructional signs should be posted. These would request visitors to cooperate in shoreline preservation by not removing sealife; returning shoreline rocks to their original positions; carrying litter out when leaving and not cutting new cliffside trails.

2. Expand Shoreline Clean-up Program - The City should encourage

repeated clean-up programs by interested groups such as the Oceanographic Society, Sierra Club, Boy and Girl Scouts, church groups and other organizations.

Clean-up should be promoted by the City designating and publicizing an annual Shoreline Clean-up Day. The City should continue its past practice of providing sacks for collecting trash and a city truck to collect the filled sacks at designated pick-up points.

"Bear Proof" trash containers should be installed immediately at the improved Bluff Cove viewing site on Paseo Del Mar and P. V. Drive West, the Bluff Cove access area and Malaga Cove. It would be inconsistent for the City to sponsor a Shoreline Clean-up Program without providing permanent refuse containers in these areas of heavy existing usage. Responsibility for regular emptying of these containers should be assumed by the City.

3. Establish Marine Life Refuge - The City should consider proposing legislation whereby the State would establish a subtidal area (exclusive of parkland) as a Marine Life Refuge as has been done at Laguna Beach, Newport Beach, and South Laguna Refuge. This step would make it a misdemeanor under the Fish and Game Code of California to disturb or remove any plant or animal with a few exceptions within the Refuge. The net effect of such legislation would be to qualify the State's reservation of fishing rights in the tideland grant. See Appendix VII (Laguna Beach Marine Life Refuge) and Appendix VIII (PVE Marine Life

Refuge) for background materials including comments by the PVE City Attorney. The State of California pre-empts the City in regulation of fishing and fishery resources so it would not be possible for the City to adopt an ordinance prohibiting collecting of marine life from tidepools.

4. Support Sea Projects - In a continuing effort to improve and maintain the biological resource of our tidelands, the City should initiate or cooperate with interested groups in projects such as kelp reforestation which in turn would improve the fishing resource and, thereby, also enhance the interests of the sports fisherman and skin diver which is a statewide purpose. See Appendix IX for a discussion of kelp and its disappearance. Kelp reforestation should be pursued in concert with interested groups such as the Department of Fish & Game, the P.V. Oceanography Society, the Sierra Club, the TRW Divers, the L.A. County Department of Parks and Recreation, and possibly others.

Another sea project would be an effort to rejuvenate selected tidepool areas. This might ultimately require reintroduction of certain species, but initially, as a pilot program, the City could post signs advising that parkland access is closed for a limited period of time and let nature perform the restoration. The closing of parkland access would not conflict with California Fish and Game Regulations. Selected areas could be alternately opened and closed in a rotating fashion. This method would also support certain research activities where it is desirable to measure the regenerative effects.

5. Consider Establishment of Manipulative Zones - Future

consideration should be given to creating several manipulative zones. Such shoreline zones could be selected because of their natural life and would be periodically closed to the public, perhaps for several years, for purposes of life regeneration. Such a shoreline practice would probably be coordinated with educational or research oriented groups and our own tidepool regeneration program.

6. Provide Landscaping - Locations attracting major foot traffic

should receive landscaping attention. Selected low maintenance plantings would serve to promote safety, slow erosion and enhance the natural beauty of the tidelands setting; i. e., of the shoreline. Volunteer groups may be willing to provide such plantings if the City will provide the necessary landscape plan.

7. Control Erosion - Nowhere along the coastline has

greater erosion occurred than where storm drain outfalls have been projected over the cliffside and not piped to the sea as required of private owners of shoreline properties. The first commitment of the City to the preservation program herein proposed should be immediate attention to this condition at every location where this erosion problem has not yet been corrected. Further, by such administrative or other means as are necessary, the City should assure that future residential developments and street construction does not involve the massive dumping of rock and soil off the cliffside as occurs

since the Tideland Grant in the construction of Resort Point improvements.

B. Recreation.

Present Status:

1. Surfing - Surfing appears to be the most popular current use of our tidelands. The usage exists primarily at Haggarty's Pier in Malage Cove, Bluff Cove and Lunada Bay.
2. Scuba Diving - Discussions with local divers and scuba shops indicate usage is quite generalized on our coastline. A considerable number of divers utilize boats for access. Utilization of tidelands by divers would undoubtedly increase moderately if shoreline access were improved.
3. Beach and Swim - Some usage currently exists for purposes of swimming and beach visiting. There is already located on parkland within the Shoreline Preserve a City owned and operated swim facility and recreation center. A consulting geologist indicates that if sand were introduced into Bluff Cove, Lunada Bay, and Honeymoon Cove, it would likely stay for some years. Sand would tend to wash northward from Malaga Cove, and hence, that location would appear to be a poor candidate for a sandy beach.
4. Boating - Malaga Cove is occasionally used as a launching site for small boats. The Palos Verdes Yacht Club holds an annual

small boat race at Malaga Cove; launching the small boats over the rocks on improvised wooden tracks. See Appendix VII for description of past interests and notes on activity regarding boating facilities.

Recommendations:

1. Improve Access Trails - Access trails should be delineated so as to direct the public to those areas where appropriate activities are to be encouraged while at the same time promote public safety and reduce the assistance required of police, Coast Guard and the fire department. To encourage attentiveness on the part of those using trails, they should all be appropriately posted as to risk. Exhibits II and III identify most existing trails. Existing and future trails may be discussed in three categories:

a. Existing Improved Trails:

Malaga Cove - Swim Club Road

Bluff Cove - path to Flat Rock Point

These trails are the most heavily used. No immediate improvements are recommended.

b. Existing Improvable Trails:

"Haggarty's"

Margate Canyon

Chiswick Road

Via Neve

Lunada Bay

Home construction has now blocked off the two trails most frequently used in the past at Lunada Bay and currently the only accesses are very hazardous and heavily traveled. A reasonably safe access trail should be provided at Lunada Bay. Improvable trails should be scheduled for improvement. Trail improvements might be accomplished in coordination with a trail committee of the Sierra Club or Oceanographic Society, or alternatively in connection with storm drain or other related improvements.

See map of topography and trail locations in rear pocket.

BEACH ACCESS TRAILS

Map Key.	Ownership	Bluff Height	Public Frontage Parking	Trail Difficulty	View Site
1. Torrance Beach	Public	*		3	
2. Rosita Place	Private	125	0	10	
3. Swim Club Road	Public	85	50	2	X
4. "Haggarty's"	Public	75	12	6	
5. Via Chino	Public	80	30	6	
6. Flat Rock Point	Public	175	40	4	X
7. Bluff Cove	Public	300	20+	8	X
8. Margate Canyon	Public	230	20+	8	
9. Chiswick North	Public	205	20+	8	
10. Chiswick Road	Public	200	20+	7	
11. Cloyden Road	Private	175	0	7	
12. Lunada Bay	Public	160	30+	7	X
13. Via Oleadas	Private	145	0	6	
14. Resort Point South	Public	165	10	8	
15. Via Neve	Public	170	20+	7	
16. Southern Boundary	Private	*		10	

Difficulty: 1 = excellent, 10 = very poor

* Access from adjacent beaches

4 Sunday
Feb. 25, 2968

PALOS VERDES PENINSULA NEWS
and ROLLING HILLS HERALD

Dangerous Coastline

The front page of Wednesday's issue of this newspaper this week told the dramatic story of two rescue operations along the Palos Verdes Peninsula coastline last Sunday.

The two rescues — which fortunately turned out happily — were fairly routine for the rescue crews from Palos Verdes Estates Police and Los Angeles County Sheriff's office who participated. Making rescues and climbing up and down the Palos Verdes Peninsula cliffs are all in a day's work for the rescue crews.

The rescues may all be in a day's work for the men involved, but they certainly aren't for the persons saved from bodily harm or death.

Last Sunday the lure of the Dominator sent three persons hurtling through the rocky surf when their boat was overturned by a huge wave. If one of the young women aboard the boat had given in to her husband and brought along their 18-month old child there probably would have been a disaster.

At almost the same instant, a mile or two down the coastline, a young fisherman was being dashed on the rocks by another huge wave. It took a Coast Guard helicopter to start him on the first leg of his journey to the hospital for care of a broken ankle.

We repeat this detail about both rescue operations to record the danger of our coastline. Hardle a week goes by without someone being rescued from the cliffs or from the water along this fabulous Palos Verdes Peninsula coastline. Not infrequently the Coast Guard helicopter is dispatched from International Airport to tote a basket case

to a waiting ambulance or nearby hospital.

Our immediate gratitude must go to the men who staff these crew operations. Often they risk their lives to snatch a person from possible death or further injury at the hands of the elements.

The Peninsula coastline, like a magnet, attracts the unwary to its fascinations. In most places the descent is treacherous; in many places the drop is straight down. At such well known tourist spots as the Grand Canyon equally dangerous cliffs are protected with railings and signs. Yet along the Palos Verdes Peninsula shore there are few, if any, warnings of the danger.

The cost of roping off or controlling public access to the coastline would be prohibitive, yet at some time consideration must be given to alerting the public to the danger of the high cliffs and the rocky shore. As population increases and as persons living in other areas learn of our attractive features there will be greater and greater numbers climbing the rugged cliffs.

A comparison of the number of people along the shoreline on any given Sunday afternoon five and ten years ago with the traffic today tells the story of increased traffic.

Local police and sheriff's deputies are equipped to handle today's emergencies, but will they be able to handle tomorrow's?

Involved in the study of the future of the shoreline must be consideration of public safety and minimizing the harm that can come to unsuspecting visitors.

c. Dangerous Trails:

Via Chino
Cloyden Road
Others less commonly used

Future use of very dangerous trails should be discouraged by fencing camouflaged with barrier type shrubbery.

2. Designate and Improve View Sites and Associated Parking -

View sites permit viewing of the scenic values of the tidelands. Such viewing of tidelands is a purpose in which there is local and statewide interest. View sites will require some parking area. We believe limited and carefully controlled parking areas are preferable to either major shoreline developments with large parking and traffic requirements, or reversion of tidelands to the State. All existing view sites should be posted as such.

a. Bluff Cove North - The Bluff Cove access area is now being used as a view site and parking currently is on an "informal" basis. An improved and landscaped view site with appropriate parking facilities would present a much better appearance and greater safety than the uncontrolled offstreet parking now practiced.

The northern edge of Bluff Cove contains two possible parking areas in the Paseo Del Mar right-of-way with minimal

use of parkland. The larger area should be developed initially with the other developed as needed at a later date.

b. Bluff Cove South View Site - The view site on the south side of Bluff Cove should be further developed to provide an area for viewing by pedestrians. Parking has already been provided near the intersection of P.V. Drive West and Paseo Del Mar.

c. Malaga Cove - The Gazebo at Malaga Cove exists already as a viewing site. It should be identified as a view site and receive some repair attention. A parking area already exists here in the center of the street right-of-way. Paving, curbs striping and proper landscape development should be provided. This improvement would also benefit the summer program at the Roessler Memorial Swim facility.

d. Lunada Bay - A fourth view site should be considered a future possibility at one of the Lunada Bay trail access points. Designation of such a site would warrant offstreet landscaped parking to accommodate both viewers and trail users.

C. Education.

Present Status: Various portions of our intertidal zones have provided a research laboratory for graduate university students for many years. There is very little grade school and high school class utilization of the tidelands because of the hazardous accesses. The Palos Verdes Oceanographic Society has for the past two years held

SUMMARY

Appendix VIII contains a sample copy of one of their use agreements for Ano Nuevo Island. Any agreement reached with the City of Palos Verdes Estates presumably would be similar.

SUMMARY OF RECOMMENDATIONS

ACTION	ADOPT NOW		LONG <input type="radio"/>
	X	APPROX. COST	WHEN
A. <u>CONSERVATION: PRESERVATION & MAINTENANCE</u>			
1. Post Shoreline Preserve Signs:			
Identification Signs (12)	X	\$ 400	
Instructional Signs (6)	X	600	
2. Shoreline Clean-up Program;			
Adopt policy of Annual Clean-up Day	X	100 per day	
Trash containers (3 locations)	X	300	
City pick-up of trash in containers	X	100 per year	
3. Establishment of a PVE Marine Life Refuge	X	Nil	
4. Sea Projects:			
Kelp Reforestation			1-3 years
Pilot Tidepool Rejuvenation Program			1-3 years
5. Manipulative Zones			1-5 years
6. Selected Landscaping			1-5 years
7. Erosion Control	X	In part ^a 3500	Balance 1-5 years

^a Currently budgeted as storm drain control

SUMMARY OF RECOMMENDATIONS

ACTION	ADOPT NOW		LONG RANG.
	X	APPROX. COST	WHEN
B. RECREATION:			
1. Access Trails & Safety			
Existing Improvable Trails			1-3 years
Lunada Bay Access Trail			2-5 years ^a
Control Current Dangerous Trails	X	\$1000	
2. View Sites & Parking			
Post 3 Existing View Sites			
Bluff Cove North	X)	
Bluff Cove South (at Paseo Del Mar)	X) -200	
Malage Cove Gazebo	X)	
Improve View Site and Parking at Bluff Cove North	X	In part 8000	Balance 3-5 years
Improve View Site at Bluff Cove South	X	2000	
Improve View Site at Malage Cove as follows:			
Repair Gazebo	X	600	
Improve Parking			1-3 years.
^a Possible to develop access trail as part of storm drain improvement project.			

SUMMARY OF RECOMMENDATIONS

ACTION	ADOPT NOW		LONG TERM
	X	APPROX. COST	WHEN
C. EDUCATION			
1. Promote Shoreline nature trails			1-7 years
2. Encourage a subtidal trail			1-5 years
3. Establish Botanical Area			1-7 years
4. Cooperate with the Palos Verdes Oceanographics Society and other interested groups	X	None Identified as yet	
5. Encourage scientific research. Further explore the possibilities of a 1/2 mile Shoreline educational use agreement with the Inter-University Natural Lands and Waters Committee headed by UCLA.	X	None	

APPENDICES

APPENDIX I

PVE TIDELANDS GRANT

Passed the Senate May 13, 1968

CHAPTER

An act to amend Section 1 of Chapter 1975 of the Statutes of 1963, relating to tide and submerged lands granted in trust to the City of Palos Verdes Estates.

The people of the State of California do enact as follows:

SECTION 1. Section 1 of Chapter 1975 of the Statutes of 1963 is amended to read:

Section 1. There is hereby granted to the City of Palos Verdes Estates, a municipal corporation of the State of California, and to its successors, all the right, title and interest of the State of California held by said state by virtue of its sovereignty in and to all tidelands and submerged lands, whether filled or unfilled, which are described as follows:

That part of state-owned tide and submerged land which lies directly joining the Mean High Tide Line of the Pacific Ocean along the City of Palos Verdes Estates, California, and is limited to the following extent:

In the south by a line which is a westerly prolongation of the southerly boundary of Tract 4400, as recorded in Book 72, pages 95-96 of Maps in the office of the Recorder of Los Angeles County.

In the north by a line which is a westerly prolongation of the northerly boundary of Tract 4400 as recorded in Book 72, pages 95-96 of Maps in the office of the Recorder of Los Angeles County.

In the east by the Mean High Tide Line of the Pacific Ocean between the above described southerly and northerly limits.

In the west by the southwesterly boundary of the County of Los Angeles between the above described southerly and northerly limits.

To be forever held by said city and by its successors in trust for the use and purposes, and upon the express conditions following, to wit:

(a) That said lands shall be used by said city and its successors for purposes in which there is a general statewide interest as follows:

(1) For the establishment, improvement and conduct of a harbor, and for the construction, reconstruction, repair, maintenance, and operation of wharves, docks, piers, slips, quays, and all other works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of commerce and navigation.

Secretary of the Senate

Chief Clerk of the Assembly

Passed the Assembly June 10, 1968

This bill was received by the Governor this 17

day of JUNE, 1968, at o'clock M.

Private Secretary of the Governor

Compliments of

(2) For the establishment, improvement and conduct of an airport and heliport or aviation facilities, including but not limited to approach, takeoff and clear zones in connection with airport runways, and for the construction, reconstruction, repair, maintenance and operation of terminal buildings, runways, roadways, aprons, taxiways, parking areas, and all other works, building, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of air commerce and air navigation.

(3) For the construction, reconstruction, repair and maintenance of highways, streets, roadways, bridges, belt line roads, parking facilities, power, telephone, telegraph or cable lines or landings, water and gas pipelines, and all other transportation and utility facilities or betterments incidental, necessary or convenient for the promotion and accommodation of any of the uses set forth in this Section 1.

(4) For the construction, reconstruction, repair, maintenance and operation of public buildings, public assembly and meeting places, convention centers, parks, playgrounds, bathhouses and bathing facilities, recreation and fishing piers, public recreation facilities, including but not limited to public golf courses, and for all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any such uses.

(5) For the establishment, improvement and conduct of small boat harbors, marinas, aquatic playgrounds and similar recreational facilities, and for the construction, reconstruction, repair, maintenance and operation of all works, buildings, facilities, utilities, structures and appliances incidental, necessary or convenient for the promotion and accommodation of any of such uses, including but not limited to snackbars, cafés, restaurants, motels, hotels, launching ramps and hoists, storage sheds, boat repair facilities with cranes and marine ways, administration buildings, public restrooms, bait and tackle shops, chandleries, boat sales establishments, service stations and fuel docks, yacht club buildings, parking areas, roadways, pedestrian ways and landscaped areas.

(6) For the establishment, preservation, restoration, improvement, or maintenance of intertidal and subtidal marine biological reserves, restoration and maintenance of kelp forests, abalone and other shellfish and related fishery resources, development of nature study trails and areas, exhibits, research projects, preservation of areas of unique ocean phenomena for activities such as surfing and other water sports, and the natural beauty and biological resources and activities related thereto, subject to the prior approval of the Fish and Game Commission as to those matters which are subject to regulation by Commission pursuant to the Fish and Game Code.

(b) Said city, or its successors shall not, at any time, grant, convey, give or alienate said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever; provided, that said city, or its successors, may grant franchises thereon for limited periods, not exceeding 66 years, for wharves and other public uses and purposes, and may lease said lands, or any part thereof, for limited periods, not exceeding 66 years, for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation, and collect and retain rents and other revenues from such leases, franchises and privileges. Such lease or leases, franchises and privileges may be for any and all purposes which shall not interfere with commerce and navigation.

Nothing contained in this paragraph (a) shall be deemed to affect the validity or term of any franchise previously granted by said city under the Franchise Act of 1937 (Chapter 2, commencing at Section 6101), of Division 3 of the Public Utilities Code, and any such franchise shall be effective with respect to said land when title thereto passes to said city hereunder.

(c) Said lands shall be improved without expense to the state; provided, however, that nothing contained in this act shall preclude expenditures for the development of said lands for any public purpose not inconsistent with commerce, navigation and fishery, by the state, or any board, agency or commission thereof, when authorized or approved by the city, nor by the city of any funds received for such purpose from the state or any board, agency or commission thereof.

(d) In the management, conduct, operation and control of said lands or any improvements, betterments, or structures thereon, the city or its successors shall make no discrimination in rates, tolls or charges for any use or service in connection therewith.

(e) The State of California shall have the right to use without charge any transportation, landing or storage improvements, betterments or structures constructed upon said lands for any vessel or other watercraft or railroad owned or operated by the State of California.

(f) There is hereby reserved to the people of the State of California the right to fish in the waters on said lands with the right of convenient access to said water over said lands for said purpose.

(g) There is hereby excepted and reserved in the State of California all deposits of minerals, including oil and gas, in said lands, and to the State of California, or persons authorized by the State of California, the right to prospect for, and remove such deposits from said lands.

EW
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(h) Said lands are granted subject to the express reservation and condition that the state may at any time in the future use said lands or any portion thereof for highway purposes without compensation to the city, its successors or assigns, or any person, firm or public or private corporation claiming under it, except that in the event improvements, betterments or structures have been placed upon the property taken by the state for said purposes, compensation shall be made to the person entitled thereto for the value of his interest in the improvements, betterments or structures taken or the damages to such interest.

(i) The State Lands Commission shall, at the cost of the city, survey and monument the granted lands and record a description and plat thereof in the office of the County Recorder of Los Angeles County.

(j) Within 10 years from the effective date of this act the granted lands shall be substantially improved, restored, preserved, or maintained by the city without expense to the state and if the State Lands Commission determines that the city has failed to improve, restore, preserve, or maintain said lands as herein required, all right, title, and interest of said city in and to all lands granted by this act shall cease and all said right, title and interest in the granted lands shall revert and rest in the state.

NEW
WORKS

President of the Senate

Speaker of the Assembly

Approved JUNE 17, 1968

Governor

RESOLUTION NO: 648

A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF PALOS VERDES ESTATES,
CALIFORNIA, DESIGNATING THE PALOS
VERDES ESTATES SHORELINE PRESERVE
AND DIRECTING THE CITY PLANNING
COMMISSION TO PREPARE AND SUBMIT
A REPORT

WHEREAS, the City of Palos Verdes Estates since March 20, 1963, by authority of Section 1 of Chapter 1975 of the Statutes of 1963, has held in trust all the right, title and interest of the State of California in and to all the tidelands and submerged lands (herein collectively called "tidelands"), described in said Section 1, that directly join the Mean High Tide Line of the Pacific Ocean at the westernmost boundary of the City; and

WHEREAS, the City's right, title and interest to such lands will cease and revert to and rest in the State of California on March 20, 1973, unless the tidelands, without expense to the State, shall have been substantially improved, restored, preserved or maintained by the City; and

WHEREAS, it is the declared objective and intent of the City to take all action necessary to assure that title to the tidelands shall continue in the City and not revert to the State; and

WHEREAS, the City, under various deeds from the Palos Verdes Homes Association, also holds title to all the property (herein called "parklands") bordering the tidelands at the City's westernmost boundary, including the beaches and cliffsides of the shoreline and several lots along the cliffs (totaling approximately 130 acres), for park and/or recreational purposes; and

WHEREAS, in combination, the tidelands and parklands constitute a singular natural asset of the City and of the State of California

APPENDIX II

CITY RESOLUTION DESIGNATING

PVE SHORELINE PRESERVE

as a shoreline of exceptional and dramatic scenic beauty and of significant geological, botanical and biological interest; and

WHEREAS, there is the clear and present danger that the unique marine life and other natural features, including even the physical appearance and formation of the tidelands and parklands, will be irretrievably impaired by unrestricted use, unregulated access and private appropriation;

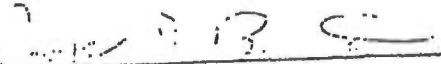
NOW, THEREFORE, the City finds it to be in the public interest that the City take immediate action to preserve and maintain the tidelands and parklands as a natural preserve and recreational area and accordingly:

1. Said tidelands and parklands, all as described in Schedule A hereto, are hereby designated and shall hereafter be known as the "Palos Verdes Estates Shoreline Preserve;"


2. The City's Planning Commission is hereby authorized and directed to prepare and submit to the City Council, as soon as reasonably possible and in at least preliminary fashion within not more than six (6) months from the date of this Resolution, an appropriate and detailed master plan for the Palos Verdes Estates Shoreline Preserve that will satisfy the conditions of the State of California's grant of the tidelands to the City and comply with the conditions of the Palos Verdes Homes Association's grant of the parklands to the City.

APPROVED and ADOPTED this 28th day of January.

1969.


JOSEPH T. BARNETT, Mayor
Palos Verdes Estates, California

ATTEST:


BETTY STOFFERS, City Clerk

SCHEDULE A

PROPERTY DESCRIPTION

There shall be included in the Palos Verdes Shoreline

Preserve the following:

- (A) That part of state-owned tide and submerged land which lies directly joining the Mean High Tide Line of the Pacific Ocean along the City of Palos Verdes Estates, California, and is limited to the following extent:

In the south by a line which is a westerly prolongation of the southerly boundary of Tract 4400, as recorded in Book 72, Pages 95-96 of Maps in the office of the Recorder of Los Angeles County.

In the north by a line which is a westerly prolongation of the northerly boundary of Tract 4400 as recorded in Book 72, Pages 95-96 of Maps in the office of the Recorder of Los Angeles County.

In the east by the Mean High Tide Line of the Pacific Ocean between the above-described southerly and northerly limits.

In the west by the southwesterly boundary of the County of Los Angeles between the above-described southerly and northerly limits.

- (B) That part of the parklands west of the right-of-way of Paseo del Mar from the City's northern boundary to its southern boundary, including, without limiting the generality of the foregoing, all the following numbered lots:

Lots B and C, Tract No. 6886; F and G, Tract No. 6888; C and D, Tract No. 7140; B and C, Tract No. 7144; E, Tract No. 7331; A and G, Tract No. 7536; A, Tract No. 10170; and F, Tract No. 10624.

BACKGROUND

1963 Chapel Bill (Assembly Bill 2002)

Assembly Bill No. 2002 was passed by the California Legislature March 20, 1963; was signed by the Governor July 19, 1963 and became effective September 20, 1963.

The law granted in trust the title to the PVE Submerged Tidelands and provided that if said Tidelands were not "Substantially Improved" within ten years that title would revert to the State. The "substantial improvements" were incompletely delineated so in 1968, the act was amended.

1968 Tideland Grant Amendment (Senate Bill No. 844)

On May 13, 1968, the City Tideland Grant was amended to incorporate conservation as a legitimate use of the Tidelands. The City of PVE has until September 20, 1973 to show that it has "substantially improved, restored, preserved or maintained" the Granted Lands. If the State Lands Commission determines that the City has failed to do so by that date, title shall revert to the State.

APPENDIX III

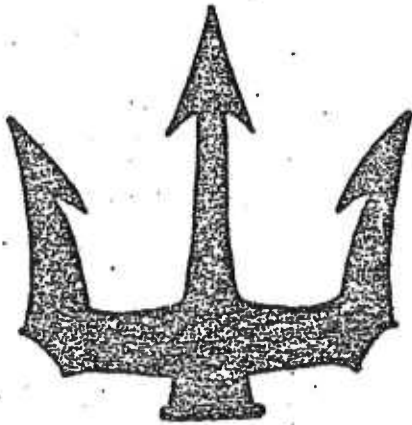
SHORELINE SIGN PROGRAM

Some Possible Sign Styles

Possible Uses:

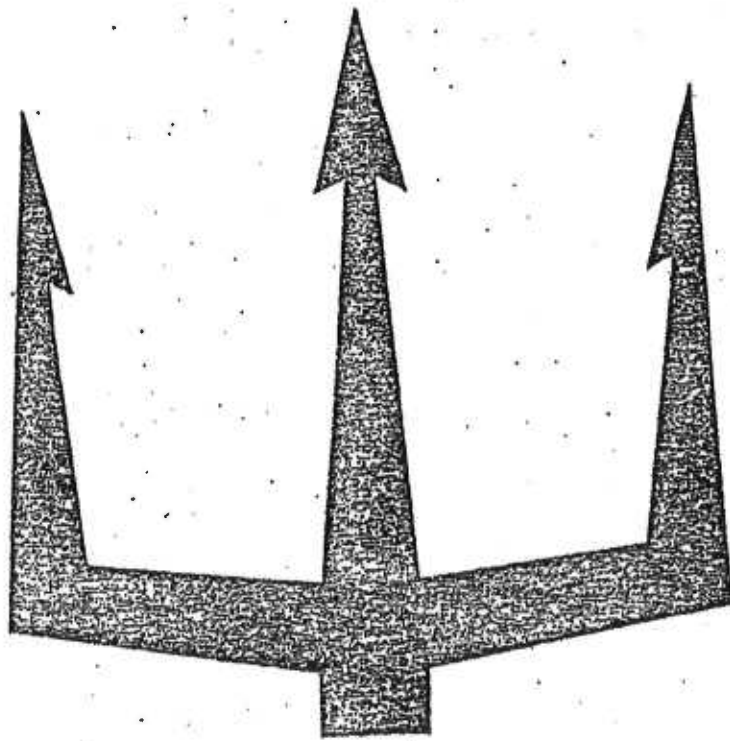
- Identification of Preserve
- Education
- Marine Life Refuge Designation
- View Site
- Hazard Area

Marine Refuge

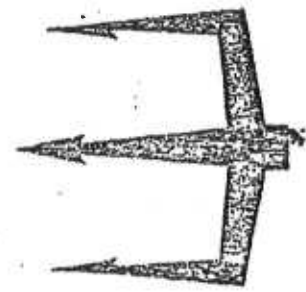


Palos Verdes Estates
Shoreline Preserve

Palos Verdes Estates

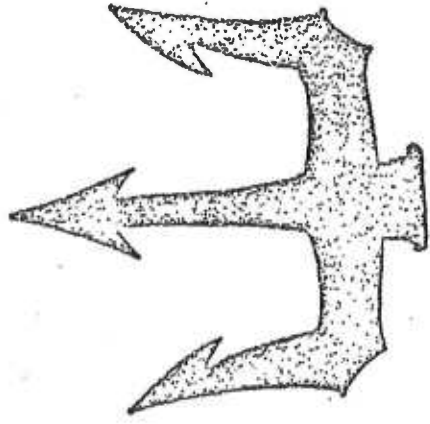


Shoreline Preserve



Palos Verdes Estates Shoreline Preserve

Marine Refuge



Palos Verdes Estates Shoreline Preserve

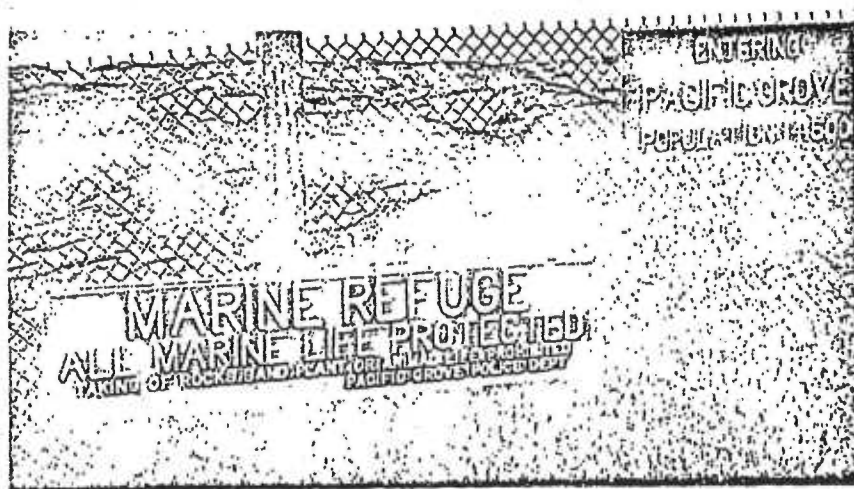
The Palos Verdes Estates Shoreline Preserve

The rocky shoreline and coves of this Preserve are an important recreational, aesthetic, and scientific resource. These areas, rich in marine flora and fauna, play an important part in the activities of marine biologists and others from all educational levels. Because of their accessibility, these areas have been greatly depleted in recent years by unrestricted collecting activities.

(In 1970 the California Legislature established the Palos Verdes Marine Refuge under the California Fish and Game Code, sections 10664 and 1090X, to protect these marine resources for future study and enjoyment by the people.) The Preserve area is a park where living things are protected to perpetuate the plant and animal life within the boundaries of the Preserve for the public of today and tomorrow. Given a rest, this area will come back to nearly its original lushness of biota.

The boundaries of the Preserve are posted. The map adjacent shows the extent of the Preserve, view points and access trails.

Sample wording



PALOS VERDES MARINE RESERVE

"Take nothing but pictures; leave nothing but footprints." This is a living marine reserve. Please:

1. Always return tide pool animals to their original habitat after studying them.
2. Take nothing from the preserve. All animals, algae, shells, etc., must be left in place.
3. Return rocks to their original position after you have finished observing their undersides.
4. Carry no glass or other containers with you into the marine reserve.
5. Practice conservation - it is a good habit to acquire. Carry all of your litter back to a trash can.

(Instructional Sign Comments now used at Point Fermin Marine Life Refuge)

APPENDIX IV

CODES ESTABLISHING MARINE LIFE REFUGES

	<u>Section</u>
State Fish & Game Code -----	A
Pacific Grove City Code -----	B
Some Comments by PVE City Attorney on Possible PVE Marine Life Refuge-----	C

Special Rules

Please do not disturb, injure, or remove any plant or animal life of any description.

Fishing is permitted as licensed by the California Fish and Game Code. (The following may be taken: abalone, lobster, bonita, rock fish (sebastodes), mackeral, perch, kelp bass, sand bass, spotted bass, corbina, croaker, and halibut. All other fish and forms of marine life are protected.)

The Shoreline Preserve habitat should not be destroyed by relocating or repositioning of large rocks. The quantity of non-living plants and animals, shells, and pebbles taken and possessed is restricted to small amounts.

Fires are prohibited above the mean high tide line (Palos Verdes Estates City Code, section 4.4).

Please carry out all refuse, bottles, cans, and paper.

Violation of the Fish and Game Code or the City Code is a misdemeanor.

This is your park for the enjoyment of all the people. Please protect this natural heritage for future generations.

Sample wording

EXHIBIT 4

**People Who Surf or Regularly Frequent Lunada Bay
Spencer et al v. Lunada Bay Boys et al
Case No. BC629596**

(1) Carlos Anorga



(2) Mark Arico



(3) Peter Babros



(4) Robert Bacon



(5) Joe Bark



(6) Richie Benner

**People Who Surf or Regularly Frequent Lunada Bay
Spencer et al v. Lunada Bay Boys et al
Case No. BC629596**

(7) Brooks Bennett

(8) Josh Bernstein

(9) Anthony Beukema



(10) Cassidy Beukema



(11) Charley C. Beukema

(12) Ron Boronstein

**People Who Surf or Regularly Frequent Lunada Bay
Spencer et al v. Lunada Bay Boys et al
Case No. BC629596**

**(13) Stephen ("Reno")
Caldwell**



(14) John Camplin



(15) Zen Del Rio



(16) Devon Demaria



(17)

(18) Steven Fairbrother

**People Who Surf or Regularly Frequent Lunada Bay
Spencer et al v. Lunada Bay Boys et al
Case No. BC629596**

(19) Leo Ferrara



(20) N.F.

(21) Alex Gray



(22) Mark Griep



(23) David Hilton



(24) Eric Hilton

**People Who Surf or Regularly Frequent Lunada Bay
Spencer et al v. Lunada Bay Boys et al
Case No. BC629596**

(25) Paul Hugoboom



(26) Bill Kaemerle



(27) Brendon Lamers



(28) Erik Lamers

(29) Lewis F. Latimer

(30) Evan Levy

**People Who Surf or Regularly Frequent Lunada Bay
Spencer et al v. Lunada Bay Boys et al
Case No. BC629596**

(31) Jon Lund



(32) David Melo



(33) Adam Miller



(34) Charlie Mowat



**(35) Michael Rae
Papayans**



(36) Andy Patch

**People Who Surf or Regularly Frequent Lunada Bay
Spencer et al v. Lunada Bay Boys et al
Case No. BC629596**

(37) Tony Pazanowski



(38) Brad Ringer

(39) Bruce Rorty



(40) Matt Sandoval

(41) Fred Straeter



(42) Jason Stafford



**People Who Surf or Regularly Frequent Lunada Bay
Spencer et al v. Lunada Bay Boys et al
Case No. BC629596**

(43) John Streeter

(44) Tom Sullivan ("Sully")



(45) Michael Thiel

(46) Sean Van Dine



(47) Randy Walton

(48) Dr. Dan Waponer



**People Who Surf or Regularly Frequent Lunada Bay
Spencer et al v. Lunada Bay Boys et al
Case No. BC629596**

(49) Ray Werner	(50) Brian H. White
(51) Brendon White	(52) David C. Yoakley
(53) Alan Johnston 	(54) Sang Lee 

**People Who Surf or Regularly Frequent Lunada Bay
Spencer et al v. Lunada Bay Boys et al
Case No. BC629596**

(55) Brant Blakeman



(56) Frank Ferrara



(57) Angelo Ferrara



(58) Charles Ferrara



EXHIBIT 5

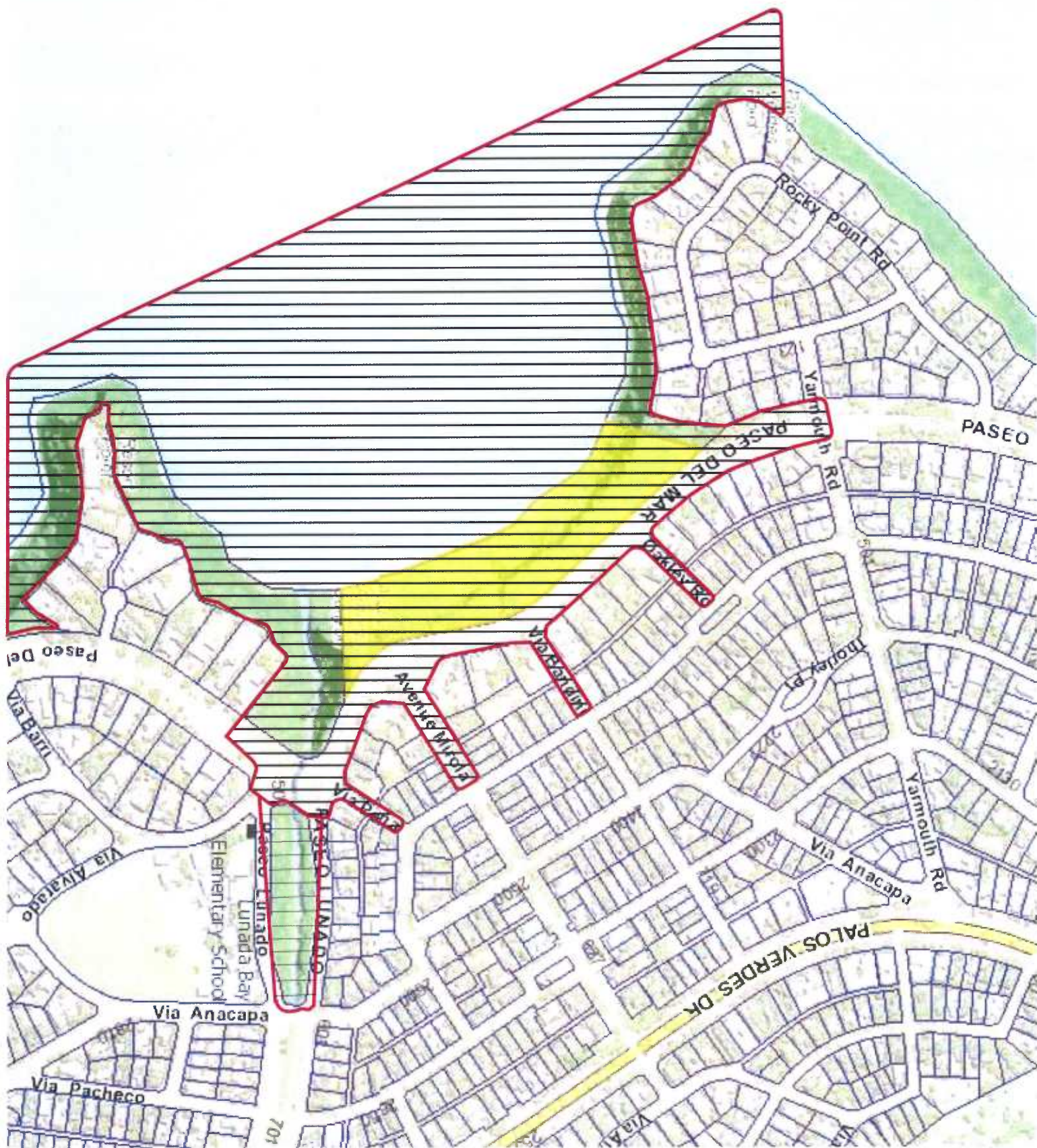


EXHIBIT 6



EXHIBIT 7



Google Maps Lunada Bay



Imagery ©2016 Data CSUMB SFML, CA OPC, DigitalGlobe, U.S. Geological Survey, USDA Farm Service Agency, Map data ©2016 Google 200 ft

Lunada Bay
California

Google Maps

EXHIBIT 8

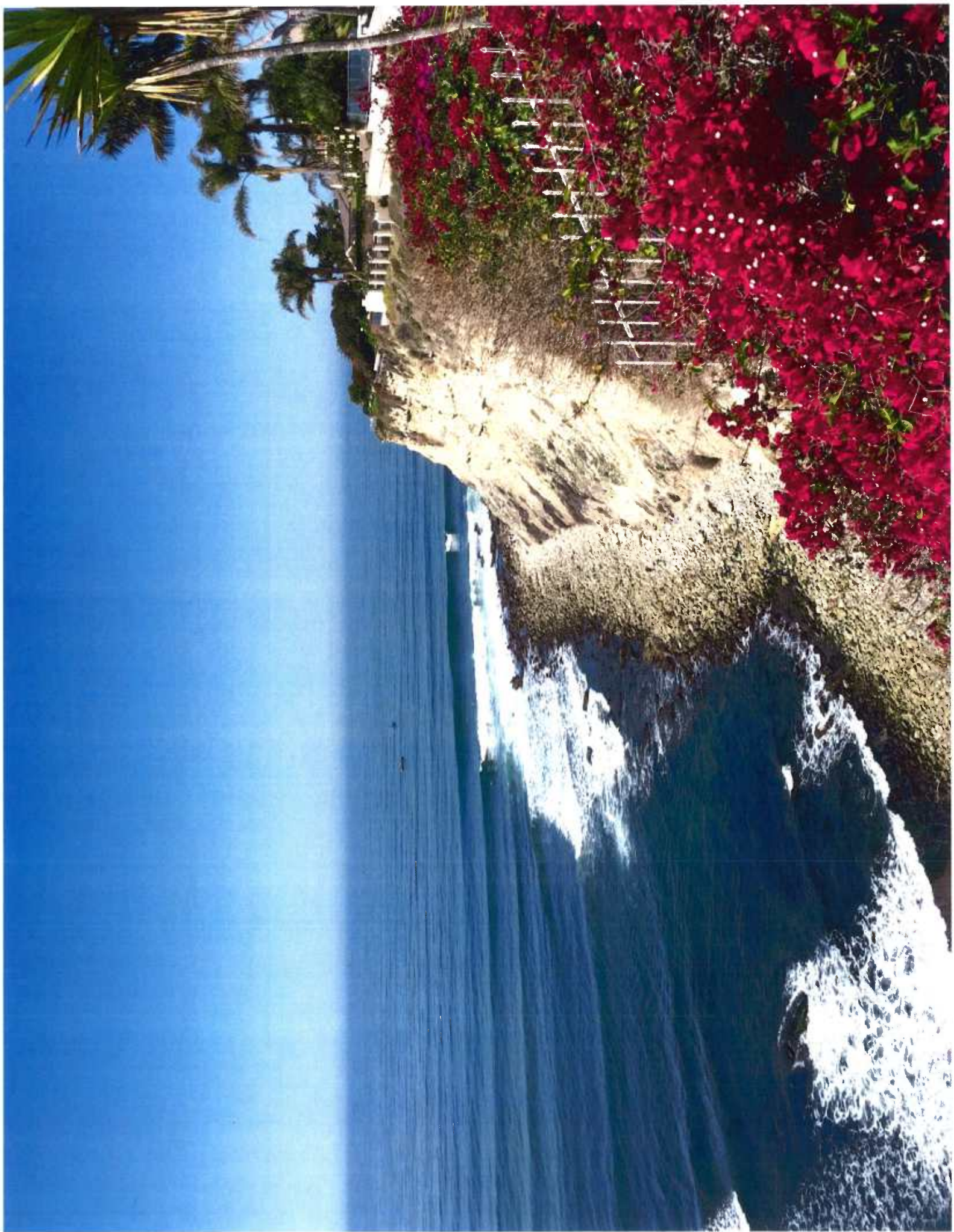


EXHIBIT 9

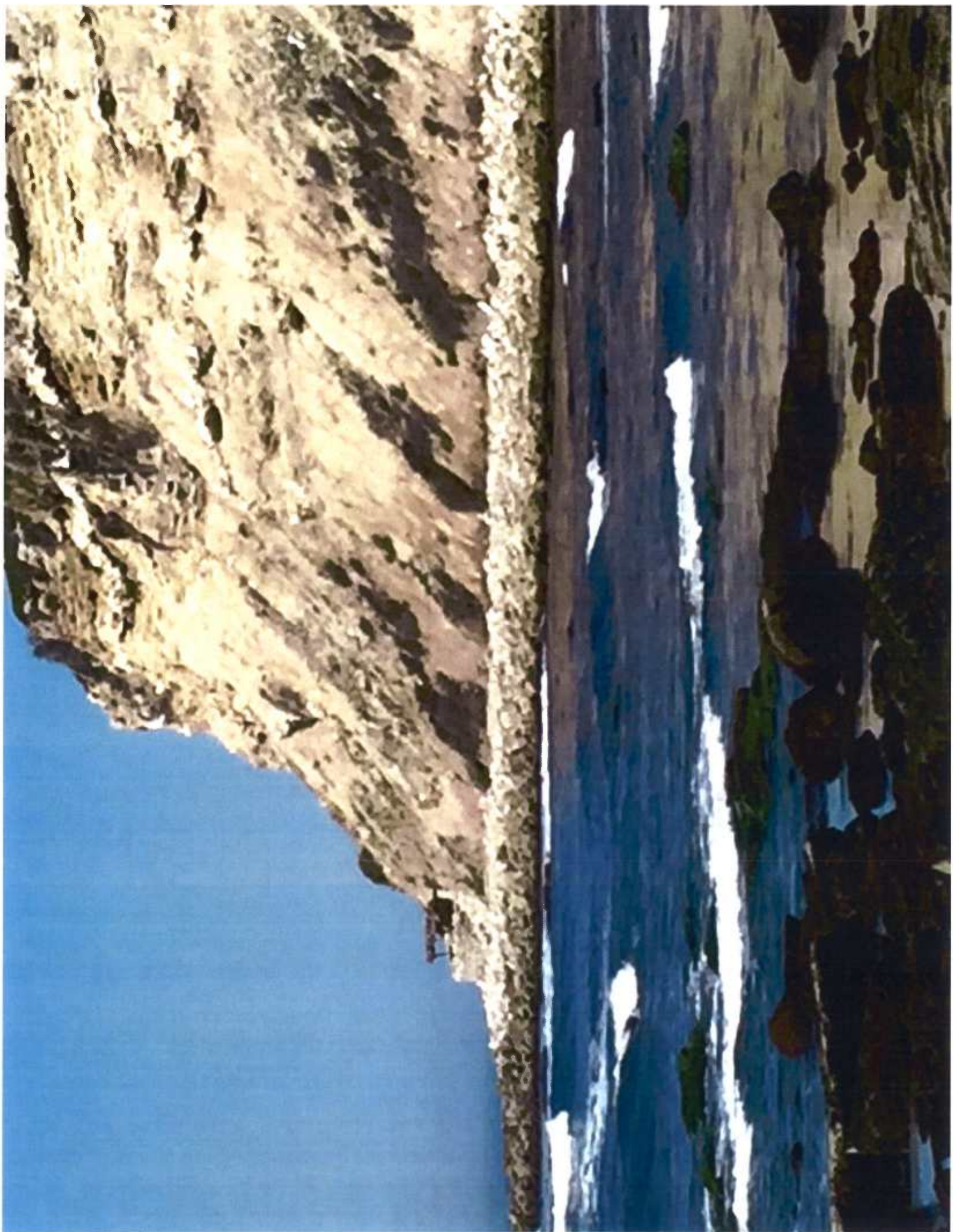


EXHIBIT 10

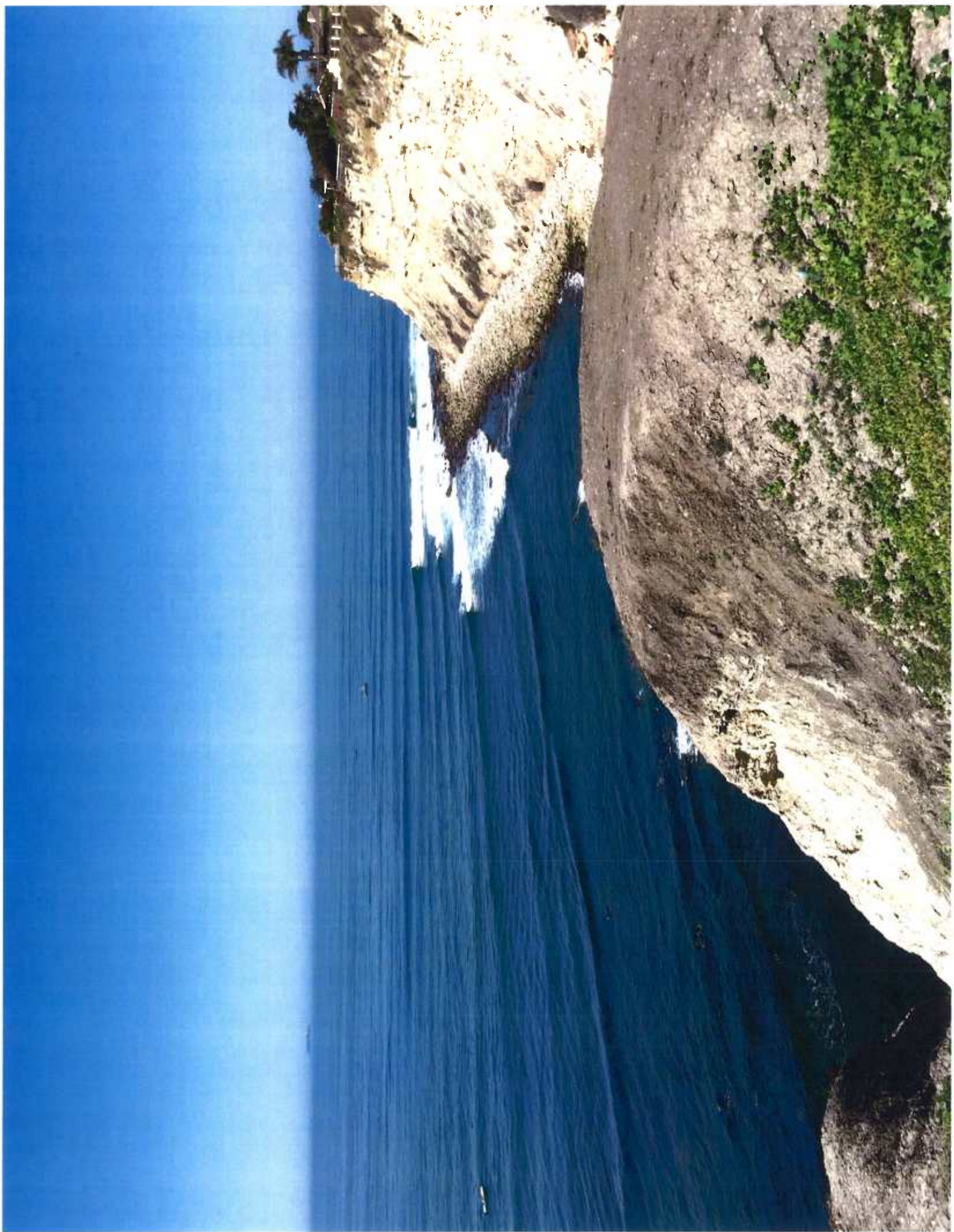


EXHIBIT 11

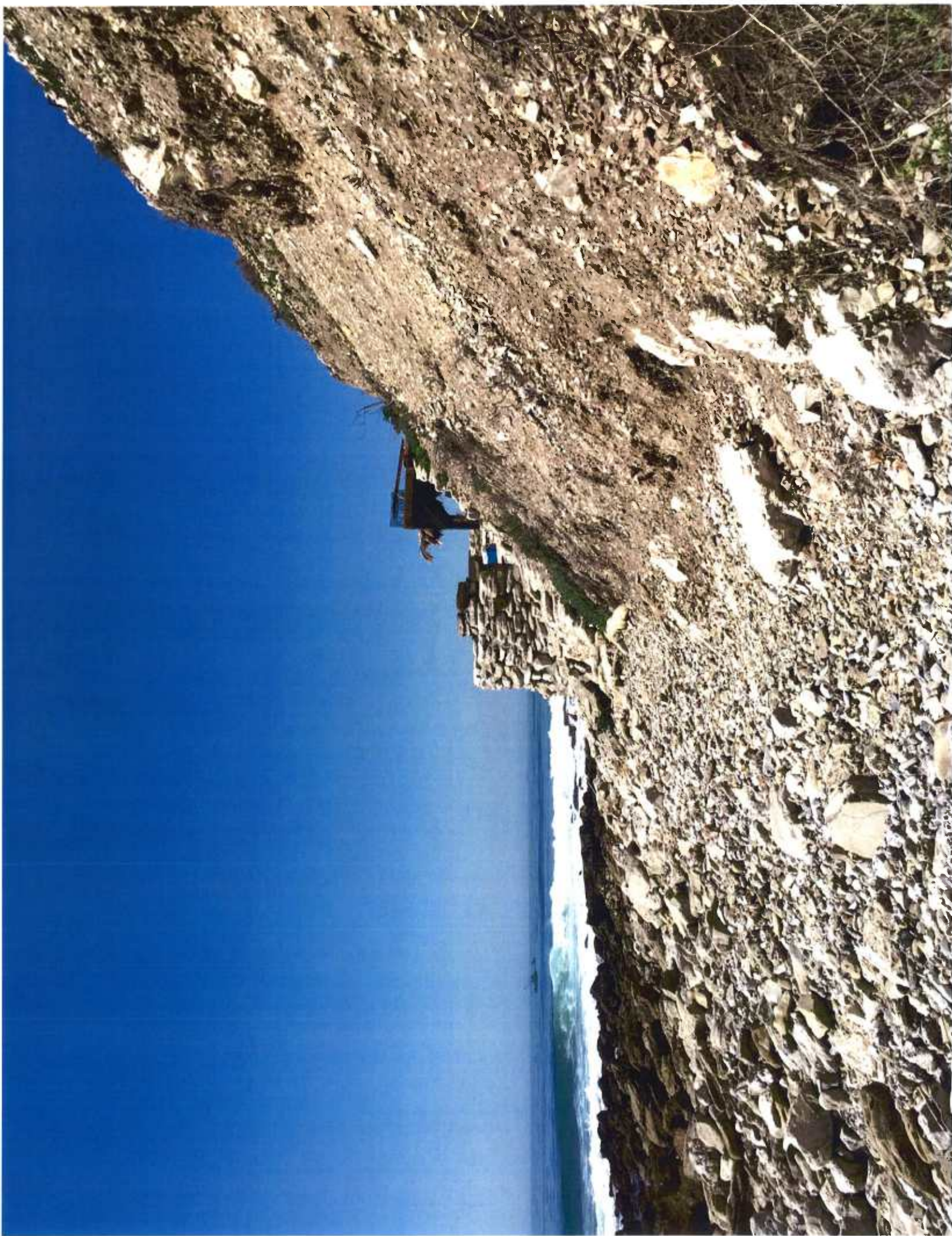


EXHIBIT 12



EXHIBIT 13



EXHIBIT 14



EXHIBIT 15

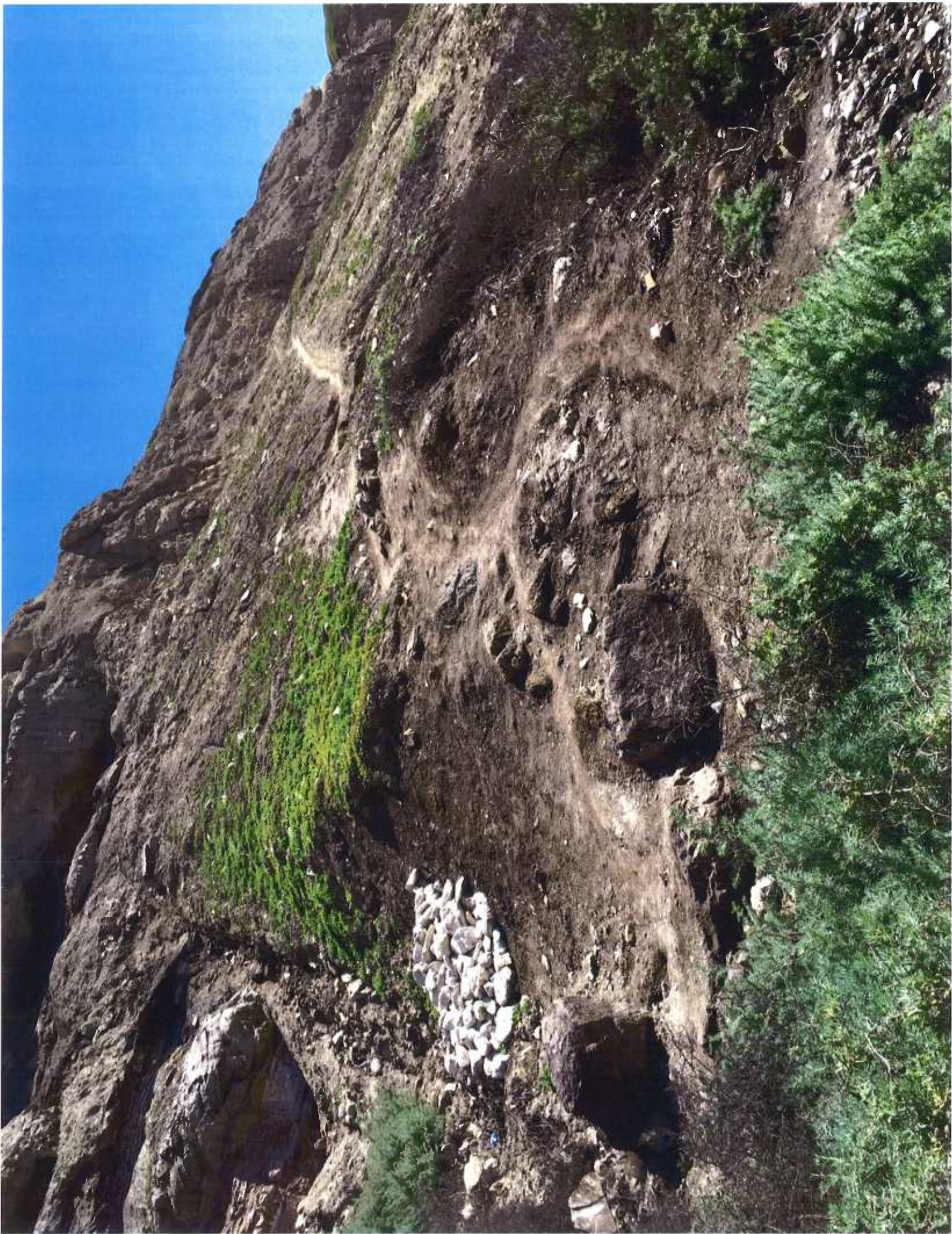


EXHIBIT 16

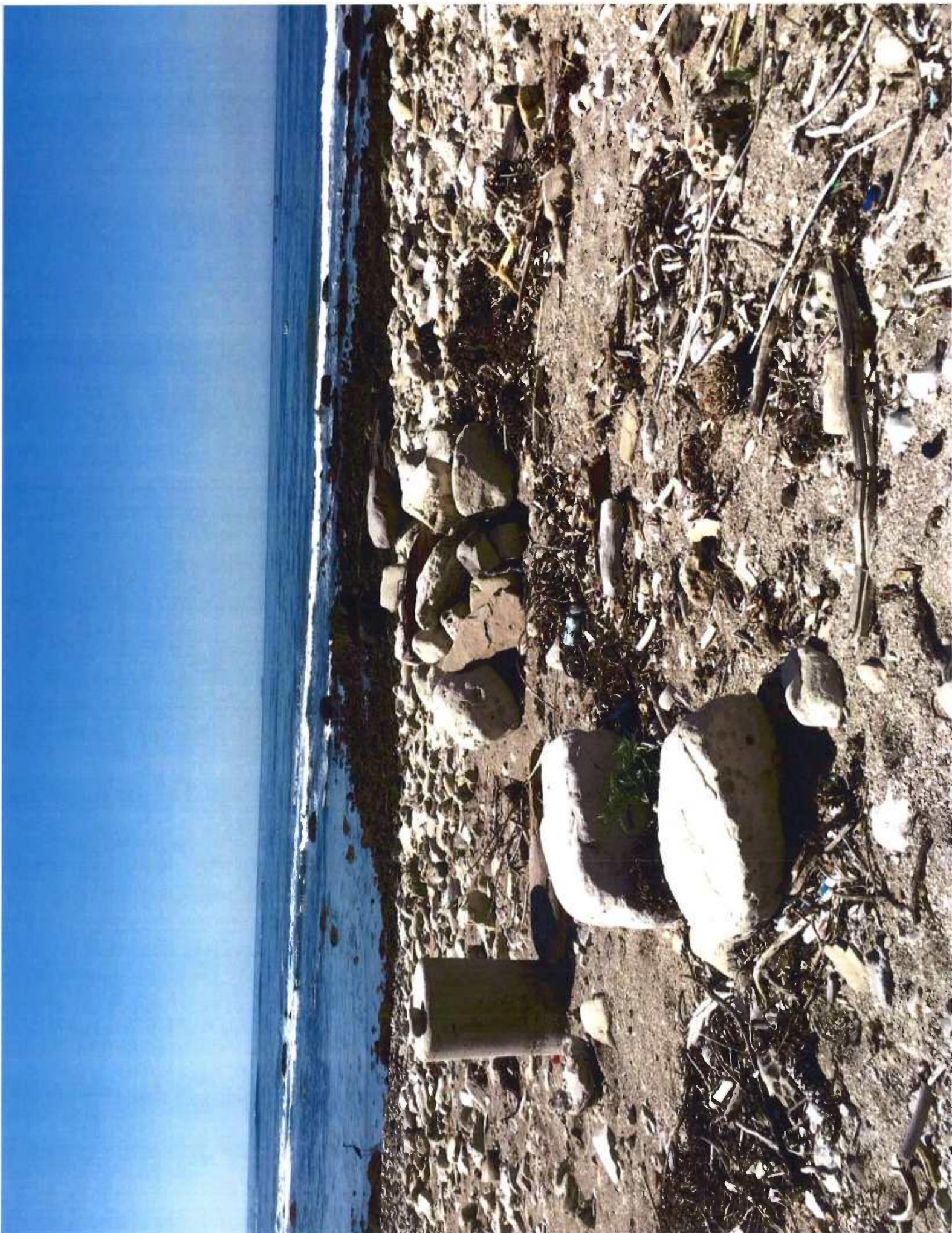


EXHIBIT 17

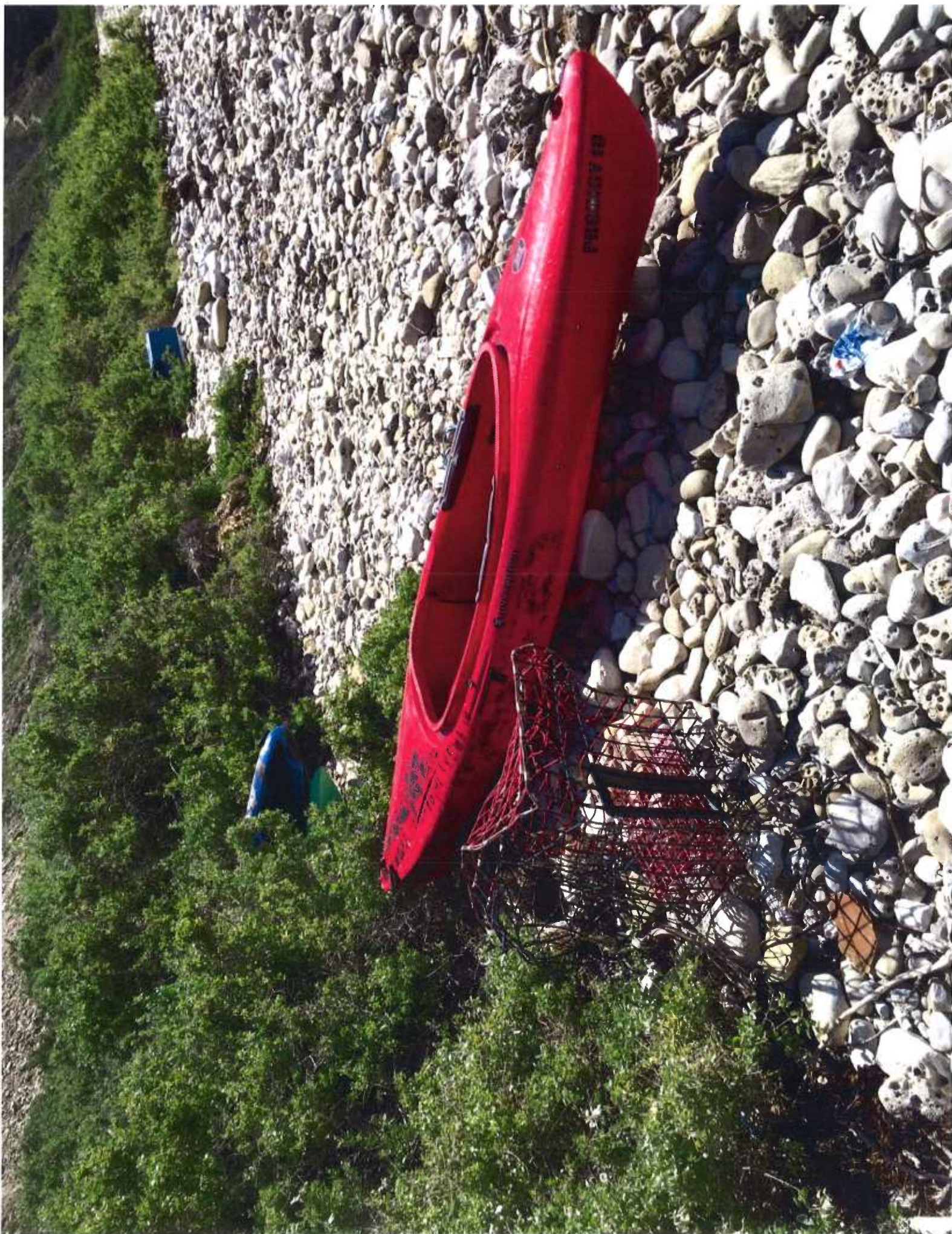


EXHIBIT 18



EXHIBIT 19



EXHIBIT 20



EXHIBIT 21



EXHIBIT 22



EXHIBIT 23

PALOS VERDES ESTATES POLICE DEPARTMENT

CRIME	Date and Time Rptd. 01/22/95 1017		Beat 1	RD 701	CAO Incident 1951		DR 95-0062		
	Crime or Incident 240PC, 415.1 PC, 422PC		Classification 040501		Date(s) Occurred 01/22/95		Day(s) Occurred SUNDAY		
	Address or Location 2300 BLK OF PASEO DEL MAR		Business Name N/A		Premises/Vehicle Secured By N/A				
VICTIM - WITNESSES	Victim's Name (Last, First, Middle) M O				Residence Address N/A		City CA		
	Sex M				Age 0		Days Off N/A		
	Business Name and Address NONE				City N/A		State CA		
WITNESSES	Witness 1 Name (Last, First, Middle) M O				Residence Address N/A		City N/A		
	Sex M				Age 0		Days Off N/A		
	Business Name and Address NONE				City N/A		State CA		
Preliminary Investigation <input type="checkbox"/> Area Checked <input type="checkbox"/> Diagram of Scene <input type="checkbox"/> Dusted For Prints <input type="checkbox"/> Neighbors Contacted <input checked="" type="checkbox"/> Statement Taken <input type="checkbox"/> Tire/Shoe Tracks <input checked="" type="checkbox"/> Victim(s) Contacted <input type="checkbox"/> Domestic Violence <input type="checkbox"/> Security Check Req. Victim <input type="checkbox"/> Other									
VIC VEH	Vehicle <input type="checkbox"/>		Boat <input type="checkbox"/>		License No.		State		
	Year		Make		Model		Style		
	Color								
MO FACTORS	SURROUNDING AREA <input checked="" type="checkbox"/> 8 Beach/Ocean <input type="checkbox"/> 3 Bathroom <input type="checkbox"/> 16 Sliding Glass Door <input type="checkbox"/> 27 Key <input type="checkbox"/> 22 Mask Worn/Face Hidden <input type="checkbox"/> 76 Forced to Lie on Floor <input type="checkbox"/> 2 Construction Site <input type="checkbox"/> 4 Bedroom <input type="checkbox"/> 17 Wall <input type="checkbox"/> 28 Pipe Wrench <input type="checkbox"/> 23 Matches Used For Light <input type="checkbox"/> 77 Forced to Masturbate Sus <input type="checkbox"/> 3 Industrial/Commercial <input type="checkbox"/> 5 Cash Register/Drawer <input type="checkbox"/> 18 Window <input type="checkbox"/> 29 Pry Tool <input type="checkbox"/> 24 Masturbated <input type="checkbox"/> 78 Forced to Move <input type="checkbox"/> 4 Park/Yard <input type="checkbox"/> 6 Classroom Equip/Supplies <input type="checkbox"/> 30 Sew/Burn/Drill <input type="checkbox"/> 25 Multiple Suspects <input type="checkbox"/> 79 Forced to Rear of Store <input type="checkbox"/> 5 Parking Lot <input type="checkbox"/> 7 Coin Changer <input type="checkbox"/> 31 Screwdriver <input type="checkbox"/> 26 Offered <input type="checkbox"/> 80 Handcuffed <input type="checkbox"/> 6 School Ground <input type="checkbox"/> 9 Coin Op Machine <input type="checkbox"/> 32 Slim Jim <input type="checkbox"/> 28 Phone Disabled <input type="checkbox"/> 61 Injured/Hit <input type="checkbox"/> 7 Shopping Ctr/Business <input type="checkbox"/> 8 Customer <input type="checkbox"/> 33 Tape/Wire <input type="checkbox"/> 30 Pillowcase Taken/Used <input type="checkbox"/> 82 Kidnapped <input type="checkbox"/> 8 Street/Alley/Residential <input type="checkbox"/> 10 Dining Room <input type="checkbox"/> 25 Convertible <input type="checkbox"/> 34 Tire Iron <input type="checkbox"/> 31 Power Disabled <input type="checkbox"/> 83 Locked In <input type="checkbox"/> 99 <input type="checkbox"/> 12 Family Room <input type="checkbox"/> 26 Door <input type="checkbox"/> 35 Vice Grips <input type="checkbox"/> 34 Ransacked <input type="checkbox"/> 84 Made to Count <input type="checkbox"/> 13 Garage/Carport <input type="checkbox"/> 27 Hood <input type="checkbox"/> 28 Sunroof <input checked="" type="checkbox"/> 99 SURFBOARD <input type="checkbox"/> 38 Selective in Loot <input type="checkbox"/> 85 Molested <input type="checkbox"/> 14 Kitchen <input type="checkbox"/> 29 Trunk <input type="checkbox"/> 1 Audible Alarm <input type="checkbox"/> 39 Smoked on Premises <input type="checkbox"/> 88 Orally Copulated <input type="checkbox"/> 15 Laundry Room <input type="checkbox"/> 30 Windwing <input type="checkbox"/> 2 Camera <input type="checkbox"/> 40 Took Only Concealables <input type="checkbox"/> 87 Other Sex Acts <input type="checkbox"/> 2 Condominium <input type="checkbox"/> 16 Living Room <input type="checkbox"/> 3 Crime Watch <input type="checkbox"/> 41 Took Only Jewelry <input type="checkbox"/> 89 Raped with Object <input type="checkbox"/> 3 Duplex <input type="checkbox"/> 17 Office Equip/Supplies <input type="checkbox"/> 5 Fence/Bars <input type="checkbox"/> 42 Took Only Money <input type="checkbox"/> 90 Sodomatized <input type="checkbox"/> 4 Mobile Home <input type="checkbox"/> 18 Owner/Employee <input type="checkbox"/> 6 Guard Service <input type="checkbox"/> 43 Took Only TV/Stereo <input type="checkbox"/> 91 Threatened <input type="checkbox"/> 5 Single Family <input type="checkbox"/> 19 Pedestrian <input type="checkbox"/> 7 Operation ID <input type="checkbox"/> 44 Under Influence Drugs <input type="checkbox"/> 92 Tortured <input type="checkbox"/> 6 Townhouse <input type="checkbox"/> 20 Safe /Box <input type="checkbox"/> 8 Outside Lighting <input type="checkbox"/> 54 Vehicle Demanded/Stolen <input type="checkbox"/> 93								
	STRUCTURE <input type="checkbox"/> 1 Apartment <input type="checkbox"/> 14 Kitchen <input type="checkbox"/> 22 Storage Shed <input type="checkbox"/> 56 Victim's Clothes Cut/Rip <input type="checkbox"/> 1 None <input type="checkbox"/> 2 Condominium <input type="checkbox"/> 15 Laundry Room <input type="checkbox"/> 23 Vending Machine <input type="checkbox"/> 57 Victim's Name Used <input type="checkbox"/> 2 Blacid <input type="checkbox"/> 3 Duplex <input type="checkbox"/> 16 Living Room <input type="checkbox"/> 24 Video Game <input type="checkbox"/> 58 Victim's Tools Used <input type="checkbox"/> 3 Bullet Casing <input type="checkbox"/> 4 Mobile Home <input type="checkbox"/> 17 Office Equip/Supplies <input type="checkbox"/> 25 Automated Teller <input type="checkbox"/> 59 Withdraws Before Climax <input type="checkbox"/> 4 Clothes <input type="checkbox"/> 5 Single Family <input type="checkbox"/> 18 Owner/Employee <input type="checkbox"/> 26 Automobile <input type="checkbox"/> 60 Wore Costume/Uniform <input type="checkbox"/> 5 Fingerprints <input type="checkbox"/> 6 Townhouse <input type="checkbox"/> 19 Pedestrian <input type="checkbox"/> 27 Snack Shop <input type="checkbox"/> 61 Delivery Person <input type="checkbox"/> 6 Foot Prints <input type="checkbox"/> 99 <input type="checkbox"/> 20 Safe /Box <input type="checkbox"/> 28 Lock Picked <input type="checkbox"/> 62 Disabled Motorist <input type="checkbox"/> 8 Other Prints <input type="checkbox"/> 13 Garage/Carport <input type="checkbox"/> 21 Sales Area <input type="checkbox"/> 9 Lock Punched <input type="checkbox"/> 63 Need Wtr/Bathrm/Phone <input type="checkbox"/> 9 Paint <input type="checkbox"/> 14 Kitchen <input type="checkbox"/> 22 Storage Shed <input type="checkbox"/> 10 Lock Slipped/Key <input type="checkbox"/> 64 Lending Assistance <input type="checkbox"/> 10 Photographs <input type="checkbox"/> 15 Laundry Room <input type="checkbox"/> 23 Vending Machine <input type="checkbox"/> 11 Open/Unlocked/No Force <input type="checkbox"/> 65 Person Who Found Money <input type="checkbox"/> 11 Semah <input type="checkbox"/> 16 Living Room <input type="checkbox"/> 24 Video Game <input type="checkbox"/> 12 Open for Business <input type="checkbox"/> 66 Police/Law <input type="checkbox"/> 12 Stains <input type="checkbox"/> 17 Office Equip/Supplies <input type="checkbox"/> 25 Automated Teller <input type="checkbox"/> 13 Pried <input type="checkbox"/> 67 Repair Person <input type="checkbox"/> 13 Tools <input type="checkbox"/> 18 Owner/Employee <input type="checkbox"/> 26 Automobile <input type="checkbox"/> 14 Removed <input type="checkbox"/> 68 Seeking Assistance <input type="checkbox"/> 14 Vehicle <input type="checkbox"/> 19 Pedestrian <input type="checkbox"/> 27 Snack Shop <input type="checkbox"/> 15 Smaashed <input type="checkbox"/> 69 Seeking Employment <input type="checkbox"/> 15 Weapons <input type="checkbox"/> 20 Safe /Box <input type="checkbox"/> 28 Lock Picked <input type="checkbox"/> 16 Tunneled <input type="checkbox"/> 70 Blindfolded <input type="checkbox"/> 16 Disposition of Evidence <input type="checkbox"/> 21 Sales Area <input type="checkbox"/> 29 Trunk <input type="checkbox"/> 17 Lock Cut/Broken <input type="checkbox"/> 71 Bound/Gagged <input type="checkbox"/> 17 Locker No. <input type="checkbox"/> 22 Storage Shed <input type="checkbox"/> 30 Windwing <input type="checkbox"/> 18 Lock Picked <input type="checkbox"/> 72 Disrobed By Suspect <input type="checkbox"/> 18 <input type="checkbox"/> 23 Vending Machine <input type="checkbox"/> 31 Window <input type="checkbox"/> 19 Lock Slipped/Key <input type="checkbox"/> 73 Forced to Cover Face <input type="checkbox"/> 19 <input type="checkbox"/> 24 Video Game <input type="checkbox"/> 32 Slim Jim <input type="checkbox"/> 20 Lock Picked <input type="checkbox"/> 74 Forced to Disrobe <input type="checkbox"/> 20 <input type="checkbox"/> 25 Automated Teller <input type="checkbox"/> 33 Tape/Wire <input type="checkbox"/> 21 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Dr No.

95-0062

SUSPECT INFORMATION / DESCRIPTORS

HAIR LENGTH		<input type="checkbox"/> 7 Greasy	<input type="checkbox"/> 11 Tanned	<input type="checkbox"/> 23 Pointed w Part	<input type="checkbox"/> 4 Oval	<input type="checkbox"/> 25 Unusl Shp Face	TEETH
<input checked="" type="checkbox"/> 1 SUSPECT	<input type="checkbox"/> 8 Military	<input type="checkbox"/> 12 Weathered	<input type="checkbox"/> 24 Thin Mustache	<input type="checkbox"/> 5 Round	<input type="checkbox"/> 26 Angular Face	<input checked="" type="checkbox"/> 1 SUSPECT	
<input type="checkbox"/> 1 Unknown	<input type="checkbox"/> 9 Mohawk	<input type="checkbox"/> 13 Wrinkled	<input type="checkbox"/> 25 Handle Bar	<input type="checkbox"/> 6 Square	<input type="checkbox"/> 27 Dimples	<input type="checkbox"/> 0 Unknown	
<input checked="" type="checkbox"/> 2 Short	<input type="checkbox"/> 10 Ponytail	<input type="checkbox"/> 99	<input type="checkbox"/> 26 Low Extension	<input type="checkbox"/> 7 Thin/Long	<input type="checkbox"/> 28 Close Set Eyes	<input type="checkbox"/> 1 Braces	
<input type="checkbox"/> 3 Collar Length	<input type="checkbox"/> 11 Processed	FACIAL HAIR		<input type="checkbox"/> 27 Thick Mustache	<input type="checkbox"/> 29 Wide Set Eyes	<input type="checkbox"/> 2 Broken	
<input type="checkbox"/> 4 Shoulder Lgth	<input type="checkbox"/> 12 Punk	<input checked="" type="checkbox"/> 1 SUSPECT	<input type="checkbox"/> 28 Desg Beard/Mus	DISTINCTIVE FEATURES		<input type="checkbox"/> 30 Cross/Cock Eyes	<input type="checkbox"/> 3 Chipped
<input type="checkbox"/> 5 Long	<input checked="" type="checkbox"/> 13 Straight	<input type="checkbox"/> 1 Beard	<input type="checkbox"/> 29 Sm Ring Beard	<input checked="" type="checkbox"/> 1 SUSPECT	<input type="checkbox"/> 31 Dtl Shape Eyes	<input type="checkbox"/> 4 Crooked	
<input type="checkbox"/> 6 Punk Style	<input type="checkbox"/> 14 Wavy	<input type="checkbox"/> 2 Clean Shaven	<input type="checkbox"/> 30 Lrg Full Beard	<input type="checkbox"/> 1 Ampu/Misa Limb	<input type="checkbox"/> 32 Dtl Size Eyes	<input type="checkbox"/> 5 False	
<input type="checkbox"/> 7 Shaved	<input type="checkbox"/> 15 Bangs	<input type="checkbox"/> 3 Fu Manchu	<input type="checkbox"/> 31 Lrg Ring Beard	<input type="checkbox"/> 2 Artificial Limb	<input type="checkbox"/> 33 Brkn/Crkd Nose	<input checked="" type="checkbox"/> 6 Gaps Between	
HAIR TYPE		<input type="checkbox"/> 4 Fuzz	<input type="checkbox"/> 32 Scrappy Beard	<input type="checkbox"/> 3 Blind	<input type="checkbox"/> 34 Beak Nose	<input type="checkbox"/> 7 Gold Cap	
<input checked="" type="checkbox"/> 1 SUSPECT	<input type="checkbox"/> 16 Center Part	<input type="checkbox"/> 5 Goatee	<input type="checkbox"/> 33 Old Dutch Beard	<input type="checkbox"/> 4 Cane/Crutch	<input type="checkbox"/> 35 Unusl Shp Nose	<input type="checkbox"/> 8 Jewel/Studded	
<input checked="" type="checkbox"/> 1 Unknown	<input type="checkbox"/> 17 Combed Back	<input type="checkbox"/> 6 Lower Lip	<input type="checkbox"/> 34 Abe Lincoln	<input type="checkbox"/> 5 Crippled Boy Pnt	<input type="checkbox"/> 36 Bubbous Nose	<input type="checkbox"/> 9 Missing	
<input type="checkbox"/> 2 Thick	<input type="checkbox"/> 18 Curiers	<input checked="" type="checkbox"/> 7 Mustache	<input type="checkbox"/> 35 Beard/Exps Chn	<input type="checkbox"/> 6 Deaf	<input type="checkbox"/> 37 Flared Nostrils	<input type="checkbox"/> 10 Retainer	
<input type="checkbox"/> 3 Wiry	<input type="checkbox"/> 19 Dirty	<input type="checkbox"/> 8 Sideburns	<input type="checkbox"/> 36 Mutton Chops	<input type="checkbox"/> 7 Deformed Limbs	<input type="checkbox"/> 38 Pierced Nose	<input type="checkbox"/> 11 Silver Capped	
<input type="checkbox"/> 4 Fine	<input type="checkbox"/> 20 Side Part	<input checked="" type="checkbox"/> 9 Unshaven	<input type="checkbox"/> 37 Short Beard	<input type="checkbox"/> 8 Growths/Moles	<input type="checkbox"/> 39 Curved Lips	<input type="checkbox"/> 12 Stained/Decdy	
<input type="checkbox"/> 5 Thinning	<input type="checkbox"/> 21 Styled	<input type="checkbox"/> 10 Van Dyke	<input type="checkbox"/> 38 Fork Beard	<input type="checkbox"/> 9 Hearing Aid	<input type="checkbox"/> 40 Cleft Lip	<input type="checkbox"/> 99	
<input type="checkbox"/> 6 Receding	<input type="checkbox"/> 99	<input type="checkbox"/> 11 Mid-Ear Sideburn	<input type="checkbox"/> 39 Full Beard	<input type="checkbox"/> 11 Limp	<input type="checkbox"/> 41 Hare Lip	SPEECH	
<input type="checkbox"/> 7 Bald	<input checked="" type="checkbox"/> 1 SUSPECT	<input type="checkbox"/> 12 Lobe Lgth Sldbm	<input type="checkbox"/> 40 Southern Colonial	<input type="checkbox"/> 12 Skin Colored	<input type="checkbox"/> 42 Cleft/Dimple Chin	<input checked="" type="checkbox"/> 1 SUSPECT	
<input type="checkbox"/> 8 Wig	<input type="checkbox"/> 0 Unknown	<input type="checkbox"/> 13 Lobe Lgth Flare	<input type="checkbox"/> 41 Pointed Goatee	<input type="checkbox"/> 13 Spastic Movmnts	<input type="checkbox"/> 43 Underbite	<input type="checkbox"/> 0 Unknown	
<input type="checkbox"/> 9	<input type="checkbox"/> 1 Acne/Pocked	<input type="checkbox"/> 14 Lrg Flare Sldbm	<input type="checkbox"/> 42 3-Point Goatee	<input type="checkbox"/> 14 Wheelchair	<input type="checkbox"/> 44 Overbite	<input checked="" type="checkbox"/> 1 Accent-U.S.	
HAIR STYLE		<input type="checkbox"/> 15 Lrg Cheek Sldbm	<input type="checkbox"/> 43 Anchor Beard	<input type="checkbox"/> 99	<input type="checkbox"/> 45 Large Ears	<input type="checkbox"/> 2 Accent-Foreign	
<input checked="" type="checkbox"/> 1 SUSPECT	<input type="checkbox"/> 2 Albino	<input type="checkbox"/> 16 Lrg Reverse Flare	<input type="checkbox"/> 44 Full Goatee	FACIAL FEAT. ODDITIES		<input type="checkbox"/> 3 Disguised	
<input checked="" type="checkbox"/> 0 Unknown	<input type="checkbox"/> 3 Clear	<input type="checkbox"/> 17 Square Mustache	<input type="checkbox"/> 99	<input checked="" type="checkbox"/> 1 SUSPECT	<input type="checkbox"/> 46 Small Ears	<input type="checkbox"/> 5 Stunned	
<input type="checkbox"/> 1 Afro/Natural	<input type="checkbox"/> 4 Dark	<input type="checkbox"/> 18 Conspicuous	FACIAL SHAPE		<input type="checkbox"/> 47 Unusl Shp Ears	<input type="checkbox"/> 6 Spch Impaired	
<input type="checkbox"/> 2 Braided	<input checked="" type="checkbox"/> 5 Freckled	<input type="checkbox"/> 19 Turkish Mustache	<input checked="" type="checkbox"/> 1 SUSPECT	<input type="checkbox"/> 20 Large Head	<input type="checkbox"/> 48 Cauliflower Ears	<input type="checkbox"/> 7 Stuttering	
<input type="checkbox"/> 3 Bushy	<input checked="" type="checkbox"/> 6 Light/Fair	<input type="checkbox"/> 20 Bushy Mustache	<input checked="" type="checkbox"/> 0 Unknown	<input type="checkbox"/> 21 Small Head	<input type="checkbox"/> 49 Mutilated Ears	<input type="checkbox"/> 8 Mute	
<input type="checkbox"/> 4 Butch	<input type="checkbox"/> 7 Medium	<input type="checkbox"/> 21 Long Point Mus	<input type="checkbox"/> 1 Broad	<input type="checkbox"/> 22 Unusl Shp Head	<input type="checkbox"/> 50 Dumbo Ears	<input type="checkbox"/> 9 Deep	
<input type="checkbox"/> 5 Curly	<input type="checkbox"/> 8 Olive	<input type="checkbox"/> 22 Short Mustache	<input type="checkbox"/> 2 High Cheekbone	<input type="checkbox"/> 23 Sloped Forehead	<input type="checkbox"/> 99	<input type="checkbox"/> 99	
<input type="checkbox"/> 6 Flat Top	<input type="checkbox"/> 9 Pale/Swallow	<input type="checkbox"/> 3 Long	<input type="checkbox"/> 3 Long	<input type="checkbox"/> 24 Bulging Forehd			

	SUSPECT NO.1	Code	SUSPECT NO.2	Code		SUSPECT NO.1	L	R		L	R	SUSPECT NO.2
1 Cap/Hat			DK BASEBALL		TATTOOS				ARM			
2 Coat/Jacket									BACK TORSO			
3 Pants									FACE			
4 Shirt	DK BLUE L/S								FRONT TORSO			
5 Shoes	BRN BOOTS								HAND			
6 Mask					SCARS / MARK				LEG			
7 Glove									NECK			
8 Jewelry									SHOULDER			
9 Glasses									ARM			
10									BACK TORSO			
11								FACE				
								FRONT TORSO				
								HAND				
								LEG				
								NECK				
								SHOULDER				

FACIAL FEATURES				Gang		Additional Description	
Eyes: A = _ B = _ C = _ D = _ E = _		Nose: A = _ B = _ C = _ D = _		Known <input type="checkbox"/> Suspected <input type="checkbox"/>			
Lips: A = _ B = _ C = _ D = _		Chin: A = _ B = _ C = _					
WEAPONS		GUN FEATURE		GAUGE		58 Hunting	
<input checked="" type="checkbox"/> 1 SUSPECT	<input type="checkbox"/> 6 Toy Gun	<input checked="" type="checkbox"/> 1 SUSPECT	<input type="checkbox"/> 8 Derringer	<input type="checkbox"/> Gauge	<input type="checkbox"/> 99		
<input type="checkbox"/> 1 Simulated	<input type="checkbox"/> 8 Knife	<input type="checkbox"/> 1 Altered Stock	<input type="checkbox"/> 7 Double Barrel	<input type="checkbox"/> Grips	<input type="checkbox"/> 99		
<input type="checkbox"/> 2 Handgun	<input type="checkbox"/> 9 Toy Knife	<input type="checkbox"/> 2 Automatic	<input type="checkbox"/> 12 Over-Under	CAULDER/LENGTH			
<input type="checkbox"/> 4 Rifle	<input type="checkbox"/> 11 Baseball Bat	<input type="checkbox"/> 3 Blue Steel	<input type="checkbox"/> 14 Pump	KNIFE FEATURE		<input checked="" type="checkbox"/> 1 SUSPECT	
<input type="checkbox"/> 5 Shotgun	<input type="checkbox"/> 98	<input type="checkbox"/> 4 Bolt Action	<input type="checkbox"/> 15 Revolver	<input type="checkbox"/> \$3 Butcher	Caliber _____ / Length _____		
	<input checked="" type="checkbox"/> 1 R Handed (Check One)	<input type="checkbox"/> 5 Chrome/Nickel	<input type="checkbox"/> 18 Sawed-Off	<input type="checkbox"/> \$1 Kitchen Knife	Caliber _____ / Length _____		
			<input type="checkbox"/> 18 Single Shot	<input type="checkbox"/> \$7 Pocket			

BICYCLE	<input type="checkbox"/> Found	<input type="checkbox"/> Recovered	<input type="checkbox"/> Boys	Wheel	Make	Model	License No.	Frame No.
	<input type="checkbox"/> Impounded	<input type="checkbox"/> Stolen	<input type="checkbox"/> Girls	Inch				
	Frame Color	Seat Color	Brake Type	No. of Gears	Headlight	Basket	Special Markings	Value
PROPERTY VALUES	Cash Notes	Tools	Office Equipment	Firearms	Consumable Goods	Miscellaneous		
	Jewelry/Precious Metal	Clothing	TV/Radios/Cameras	Household Goods	Livestock	Total		
	\$	\$	\$	\$	\$	\$	\$	\$

APR 20 1994

Dr No. 95-0062

MULTIPLE SUSPECT

SUSPECT (Last, First, Middle)	DOB	Race	Sex	Age	Height	Weight	Hair	Eyes	Build
UNKNOWN	UNK	W	M	35	6-0				MED
Suspect Address, Known Hangouts	Nickname (AKA)	Suspect Restrictions		DL		B			
		<input type="checkbox"/> Parole <input type="checkbox"/> Probation							

SUSPECT (Last, First, Middle)	DOB	Race	Sex	Age	Height	Weight	Hair	Eyes	Build
			M	35	6-03	220	BRO	BRO	LAG
Suspect Address, Known Hangouts	Nickname (AKA)	Suspect Restrictions		DL		B			
		<input type="checkbox"/> Parole <input type="checkbox"/> Probation							

HAIR LENGTH	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> 1 Unknown	<input type="checkbox"/> 2 Short	<input type="checkbox"/> 3 Collar Length	<input type="checkbox"/> 4 Shoulder Lgh	<input type="checkbox"/> 5 Long	<input type="checkbox"/> 6 Punk Style	<input type="checkbox"/> 7 Shaved	HAIR TYPE	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> 1 Unknown	<input type="checkbox"/> 2 Thick	<input type="checkbox"/> 3 Wiry	<input checked="" type="checkbox"/> 4 Fine	<input type="checkbox"/> 5 Thinning	<input type="checkbox"/> 6 Receding	<input type="checkbox"/> 7 Bald	<input type="checkbox"/> 8 Wig	HAIR STYLE	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> 0 Unknown	<input type="checkbox"/> 1 Afro/Natural	<input type="checkbox"/> 2 Braided	<input type="checkbox"/> 3 Bushy	<input type="checkbox"/> 4 Butch	<input type="checkbox"/> 5 Curly	<input type="checkbox"/> 6 Flat Top	<input type="checkbox"/> 7 Greasy	<input type="checkbox"/> 8 Military	<input type="checkbox"/> 9 Mohawk	<input type="checkbox"/> 10 Ponytail	<input type="checkbox"/> 11 Processed	<input type="checkbox"/> 12 Punk	<input type="checkbox"/> 13 Straight	<input type="checkbox"/> 14 Wavy	<input type="checkbox"/> 15 Bangs	<input type="checkbox"/> 16 Center Part	<input type="checkbox"/> 17 Combed Back	<input type="checkbox"/> 18 Curiers	<input type="checkbox"/> 19 Dirty	<input type="checkbox"/> 20 Side Part	<input type="checkbox"/> 21 Styled	<input type="checkbox"/> 99	COMPLEXION	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> 0 Unknown	<input type="checkbox"/> 1 Acne/Pocked	<input type="checkbox"/> 2 Albino	<input type="checkbox"/> 3 Clear	<input type="checkbox"/> 4 Dark	<input type="checkbox"/> 5 Freckled	<input type="checkbox"/> 6 Light/Fair	<input checked="" type="checkbox"/> 7 Medium	<input type="checkbox"/> 8 Olive	<input type="checkbox"/> 9 Pale/Swallow	<input checked="" type="checkbox"/> 10 Ruddy	<input type="checkbox"/> 11 Tanned	<input type="checkbox"/> 12 Weathered	<input type="checkbox"/> 13 Wrinkled	<input type="checkbox"/> 99	FACIAL HAIR	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> 1 Beard	<input checked="" type="checkbox"/> 2 Clean Shaven	<input type="checkbox"/> 3 Fu Manchu	<input type="checkbox"/> 4 Fuzz	<input type="checkbox"/> 5 Goatee	<input type="checkbox"/> 6 Lower Lip	<input type="checkbox"/> 7 Mustache	<input type="checkbox"/> 8 Sideburns	<input type="checkbox"/> 9 Unshaven	<input type="checkbox"/> 10 Van Dyke	<input type="checkbox"/> 11 Mid-Ear Sideburn	<input type="checkbox"/> 12 Lobe Lgh Sideburn	<input type="checkbox"/> 13 Lobe Lgh Flare	<input type="checkbox"/> 14 Lrg Flare Sideburn	<input type="checkbox"/> 15 Lrg Cheek Sideburn	<input type="checkbox"/> 16 Lrg Reverse Flare	<input type="checkbox"/> 17 Square Mustache	<input type="checkbox"/> 18 Confucious	<input type="checkbox"/> 19 Turkish Mustache	<input type="checkbox"/> 20 Bushy Mustache	<input type="checkbox"/> 21 Long Point Mus	<input type="checkbox"/> 22 Short Mustache	<input type="checkbox"/> 23 Pointed w Part	<input type="checkbox"/> 24 Thin Mustache	<input type="checkbox"/> 25 Handle Bar	<input type="checkbox"/> 26 Low Extension	<input type="checkbox"/> 27 Thick Mustache	<input type="checkbox"/> 28 Desg Beard/Mus	<input type="checkbox"/> 29 Smt Ring Beard	<input type="checkbox"/> 30 Lrg Full Beard	<input type="checkbox"/> 31 Lrg Ring Beard	<input type="checkbox"/> 32 Scraggly Beard	<input type="checkbox"/> 33 Old Dutch Beard	<input type="checkbox"/> 34 Abs Lincoln	<input type="checkbox"/> 35 Beard/Exps Chin	<input type="checkbox"/> 36 Mutton Chops	<input type="checkbox"/> 37 Short Beard	<input type="checkbox"/> 38 Fork Beard	<input type="checkbox"/> 39 Full Beard	<input type="checkbox"/> 40 Southern Colonel	<input type="checkbox"/> 41 Pointed Goatee	<input type="checkbox"/> 42 3-Point Goatee	<input type="checkbox"/> 43 Anchor Beard	<input type="checkbox"/> 44 Full Goatee	<input type="checkbox"/> 99	FACIAL SHAPE	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> 0 Unknown	<input type="checkbox"/> 1 Broad	<input type="checkbox"/> 2 High Cheekbone	<input type="checkbox"/> 3 Long	<input type="checkbox"/> 4 Oval	<input type="checkbox"/> 5 Round	<input checked="" type="checkbox"/> 6 Square	<input type="checkbox"/> 7 Thin/Long	<input type="checkbox"/> 99	DISTINCTIVE FEATURES	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> 1 Amput/Miss Limb	<input type="checkbox"/> 2 Artificial Limb	<input type="checkbox"/> 3 Blind	<input type="checkbox"/> 4 Cane/Crutch	<input type="checkbox"/> 5 Crippled Bdy Prt	<input type="checkbox"/> 6 Deaf	<input type="checkbox"/> 7 Deformed Limbs	<input type="checkbox"/> 9 Growths/Moles	<input type="checkbox"/> 10 Hearing Aid	<input type="checkbox"/> 11 Limp	<input type="checkbox"/> 12 Skin Colored	<input type="checkbox"/> 13 Spastic Movmnts	<input type="checkbox"/> 14 Wheelchair	<input type="checkbox"/> 99	FACIAL FEA. ODDITIES	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> 20 Large Head	<input type="checkbox"/> 21 Small Head	<input type="checkbox"/> 22 Unusl Shp Head	<input type="checkbox"/> 23 Sloped Forehead	<input type="checkbox"/> 24 Bulging Forehd	<input type="checkbox"/> 25 Unusl Shp Face	<input type="checkbox"/> 26 Angular Face	<input type="checkbox"/> 27 Dimples	<input type="checkbox"/> 28 Close Set Eyes	<input type="checkbox"/> 29 Wide Set Eyes	<input type="checkbox"/> 30 Cross/Cock Eyes	<input type="checkbox"/> 31 Di/ Shape Eyes	<input type="checkbox"/> 32 Di/ Size Eyes	<input type="checkbox"/> 33 Bkn/Crkd Nose	<input type="checkbox"/> 34 Beak Nose	<input type="checkbox"/> 35 Unusl Shp Nose	<input type="checkbox"/> 36 Bulbous Nose	<input type="checkbox"/> 37 Flared Nostrils	<input type="checkbox"/> 38 Pierced Nose	<input type="checkbox"/> 39 Curved Lips	<input type="checkbox"/> 40 Cleft Lip	<input type="checkbox"/> 41 Hare Lip	<input type="checkbox"/> 42 Clef/Dimple Chin	<input type="checkbox"/> 43 Underbite	<input type="checkbox"/> 44 Overbite	<input type="checkbox"/> 45 Large Ears	<input type="checkbox"/> 46 Small Ears	<input type="checkbox"/> 47 Unusl Shp Ears	<input type="checkbox"/> 48 Cauliflower Ears	<input type="checkbox"/> 49 Mutilated Ears	<input type="checkbox"/> 50 Dumbo Ears	<input type="checkbox"/> 99	TEETH	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> 0 Unknown	<input type="checkbox"/> 1 Braces	<input type="checkbox"/> 2 Broken	<input type="checkbox"/> 3 Chipped	<input type="checkbox"/> 4 Crooked	<input type="checkbox"/> 5 False	<input type="checkbox"/> 6 Gaps Between	<input type="checkbox"/> 7 Gold Cap	<input type="checkbox"/> 8 Jewel/Studded	<input type="checkbox"/> 9 Missing	<input type="checkbox"/> 10 Retainer	<input type="checkbox"/> 11 Silver Capped	<input type="checkbox"/> 12 Stained/Decyd	<input type="checkbox"/> 99	SPEECH	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> 0 Unknown	<input checked="" type="checkbox"/> 1 Accent-U.S.	<input type="checkbox"/> 2 Accent-Foreign	<input type="checkbox"/> 3 Disguised	<input type="checkbox"/> 5 Stuttered	<input type="checkbox"/> 6 Spch Impdmnt	<input type="checkbox"/> 7 Stuttering	<input type="checkbox"/> 8 Mute	<input type="checkbox"/> 9 Deep	<input type="checkbox"/> 99
-------------	----------------------------------	------------------------------------	----------------------------------	--	---	---------------------------------	---------------------------------------	-----------------------------------	-----------	----------------------------------	------------------------------------	----------------------------------	---------------------------------	--	-------------------------------------	-------------------------------------	---------------------------------	--------------------------------	------------	----------------------------------	------------------------------------	---	------------------------------------	----------------------------------	----------------------------------	----------------------------------	-------------------------------------	-----------------------------------	-------------------------------------	-----------------------------------	--------------------------------------	---------------------------------------	----------------------------------	--------------------------------------	----------------------------------	-----------------------------------	---	---	-------------------------------------	-----------------------------------	---------------------------------------	------------------------------------	-----------------------------	------------	----------------------------------	------------------------------------	--	-----------------------------------	----------------------------------	---------------------------------	-------------------------------------	---------------------------------------	--	----------------------------------	---	--	------------------------------------	---------------------------------------	--------------------------------------	-----------------------------	-------------	----------------------------------	----------------------------------	--	--------------------------------------	---------------------------------	-----------------------------------	--------------------------------------	-------------------------------------	--------------------------------------	-------------------------------------	--------------------------------------	--	---	--	--	--	---	---	--	--	--	--	--	--	---	--	---	--	--	--	--	--	--	---	---	---	--	---	--	--	--	--	--	--	---	-----------------------------	--------------	----------------------------------	------------------------------------	----------------------------------	---	---------------------------------	---------------------------------	----------------------------------	--	--------------------------------------	-----------------------------	----------------------	----------------------------------	--	--	----------------------------------	--	---	---------------------------------	---	--	---	----------------------------------	--	---	--	-----------------------------	----------------------	----------------------------------	--	--	--	---	--	--	--	-------------------------------------	--	---	---	--	---	---	---------------------------------------	--	--	---	--	---	---------------------------------------	--------------------------------------	--	---------------------------------------	--------------------------------------	--	--	--	--	--	--	-----------------------------	-------	----------------------------------	------------------------------------	-----------------------------------	-----------------------------------	------------------------------------	------------------------------------	----------------------------------	---	-------------------------------------	--	------------------------------------	--------------------------------------	---	---	-----------------------------	--------	----------------------------------	------------------------------------	---	---	--------------------------------------	--------------------------------------	---	---------------------------------------	---------------------------------	---------------------------------	-----------------------------

	SUSPECT NO. 3	Code	SUSPECT NO. 4	Code	SUSPECT NO.	L	R	ARM	L	R	SUSPECT NO.
1 Cap/Hat	DK BASEBALL										
2 Coat/Jacket			BLACK WET					BACK TORSO			
3 Pants			SUIT					FACE			
4 Shirt								FRONT TORSO			
5 Shoes								HAND			
6 Mask								LEG			
7 Glove								NECK			
8 Jewelry								SHOULDER			
9 Glasses								ARM			
10								BACKTORSO			
11								FACE			
								FRONT TORSO			
								HAND			
								LEG			
								NECK			
								SHOULDER			

FACIAL FEATURES	Gang	Additional Description
Eyes: A _ B _ C _ D _ E _	Known <input type="checkbox"/>	Suspected <input type="checkbox"/>
Lips: A _ B _ C _ D _		
Nose: A _ B _ C _ D _		
Chin: A _ B _ C _		

WEAPONS	GUN FEATURE	KNIFE FEATURE	Caliber/Length
<input type="checkbox"/> SUSPECT	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> SUSPECT	<input type="checkbox"/> SUSPECT
<input type="checkbox"/> 1 Simulated	<input type="checkbox"/> 1 Altered Stock	<input type="checkbox"/> 53 Butcher	<input type="checkbox"/> Caliber / Length
<input type="checkbox"/> 2 Handgun	<input type="checkbox"/> 2 Automatic	<input type="checkbox"/> 61 Kitchen Knife	<input type="checkbox"/> Caliber / Length
<input type="checkbox"/> 4 Rifle	<input type="checkbox"/> 3 Blue Steel	<input type="checkbox"/> 57 Pocket	
<input type="checkbox"/> 5 Shotgun	<input type="checkbox"/> 4 Bolt Action		
	<input type="checkbox"/> 5 Chrome/Nickel		
	Handed (Check One)		

PROPERTY VALUES	Found <input type="checkbox"/> Impounded <input type="checkbox"/> Recovered <input type="checkbox"/> Stolen <input type="checkbox"/> Boys <input type="checkbox"/> Girls <input type="checkbox"/>	Wheel	Make	Model	License No.	Frame No.
	Frame Color	Seat Color	Brake Type	No. of Gears	Headlight	Basket
	Cash Notes	Tools	Office Equipment	Firearms	Consumable Goods	Miscellaneous
	Jewelry/Precious Metal	Clothing	TV/Radio/Cameras	Household Goods	Livestock	Total

PALOS VERDES ESTATES POLICE DEPARTMENT

PAGE 4 OF 7

CONTINUATION OF:	<input checked="" type="checkbox"/> CRIME REPORT	<input type="checkbox"/> INCIDENTAL REPORT	CAO 1991	DRUG INCIDENT NO. 45-0062
240 PC, 415.1 PC, 422 PC	<input checked="" type="checkbox"/> ARREST/BOOKING REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	REPORTING OFFICER NAGAMOTO 1726	

PROPERTY CODE S - Stolen R - Recovered L - Lost F - Found Em - Embellished D - Damaged E - Evidence
Use all applicable codes, for example, if property is both stolen & recovered, Code is S/R)

C	ITEM	ARTICLE NAME	QTY.	SERIAL NO.	BRAND/MAKE	MODEL NAME/NO.	MISC DESCRIPTION	CODE	VALUE
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SOURCE: On Sunday 01/22/95 at 1017hrs, I received a call to contact an assault victim at the Lunada Bay Mobil Station, 2133 P.V. Dr. West. I arrived at 1023hrs and spoke to the victim and witnesses.

MO/POE: Suspect#1 physically stops victim from walking down path to beach by placing hand against victim's chest and verbally threatening to vandalize his car. Suspect#2 strikes victim's surfboard with another surfboard and threatens bodily injury to him. Suspect#3 uses offensive words likely to provoke an immediate violent reaction. Suspect#4 physically threatens victim with surfboard.

VICTIM STATEMENTS: [redacted] told me that at approximately 1012hrs he and his friend [redacted] and [redacted] went to the 2300blk of Paseo Del Mar to surf. He said he is visiting from Brazil and surfs all around the world. He said he walked to the cliff's edge to look at the waves and several subjects standing nearby started yelling, "Get out, there are enough surfers here." He said he went back to his car, got his surfboard and walked to the cliff's edge. He said suspect#1 stood in front of him and put his hand against the front of his shoulder to stop him from going forward. He said suspect#1 told him angrily, "If you go out, no more car, no more tires, no more glass, your car will be trash." He said that the suspect was much taller and bigger than he was and he was afraid of the suspect. He said he backed away from suspect#1 and suspect#2 walked up to him and deliberately knocked his surfboard into his. He said suspect#2 told him, "If you cross, I will fight you. I will break your face." He said he was afraid that suspect#2 would hurt him and backed away from him. He said at that time suspect#3 yelled at him, "Fuck Brazil." [redacted] said by this time approximately 15 people were standing around them. He said he was fearful that he and his friends were going to be hurt, went back to their car, drove to the Mobil station and called the police.

[redacted] said that he could recognize suspect#1 and #2 if he saw them again and was desirous of prosecution.

WITNESS STATEMENTS: [redacted] told me that he was standing with his friend [redacted] and [redacted] at the cliffs when the incident took place. He said that there were 15 people that had formed a half circle around them and he felt threatened. He said he did not hear the conversation between [redacted] and suspect#1, but said that suspect#1 looked angry and [redacted] looked scared. He said suspect#2 grabbed a hold of his surfboard and told him, "Go on, go away, don't surf here." He said he did not want to fight, so they left and went to the pay phone to call the police. He described suspect#1 as M/W, 6-5, blonde straight collar

ADDITIONAL PROPERTY • NARRATIVE

08/04/2016

PALOS VERDES ESTATES POLICE DEPARTMENT

PAGE 5 OF 7

CONTINUATION OF:	<input checked="" type="checkbox"/> CRIME REPORT	<input type="checkbox"/> INCIDENTAL REPORT	CAO 1851	DR/INCIDENT NO. 95-0062
240 PC, 415.1 PC, 422 PC	<input checked="" type="checkbox"/> ARREST/BOOKING REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	REPORTING OFFICER NAGAMOTO 1726	

PROPERTY CODE S - Stolen R - Recovered L - Lost F - Found Em - Embossed D - Damaged E - Evidence
Use all applicable codes, for example, if property is both stolen & recovered, Code is S/R

C	ITEM	ARTICLE NAME	QTY.	SERIAL NO.	BRAND/MAKE	MODEL NAME/NO.	MISC. DESCRIPTION	CODE	VALUE
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length hair, moustache, muscular build wearing a long sleeve shirt, creme colored shorts and brown boots. . . described suspect#2 as 6-2, normal build with black curly hair. He said he did not see suspect#3, but could positively identify suspect#1 and #2.

. . . told me that he was also standing with and . . . at the cliffs. He said a number of subjects had gathered around them and started yelling, "Don't surf here, go to Malibu or Rincon. Only locals. I lived here for twenty years, only people that live here can surf here." He said he was scared that the subjects were going to harm him. . . he said he heard the noise of surfboards hitting together and saw . . . o backing away from some of the subjects. He said . . . looked scared. He described suspect#1 as a M/W, 6-5, big strong build wearing a long t-shirt and shorts. He said he would recognize suspect#1 if he saw him again.

OFFICER STATEMENTS: The 2300blk of Paseo Del Mar is a cliff area open to the public with a trail that leads down to the ocean. It is commonly referred to as Lunada Bay and has a reputation as a good surfing area. It also has a reputation as being heavily protected by the local surfers by means of vandalism, threats of injury and actual confrontations. I am aware of three reports taken recently in which, vandalism, violence or threats of violence have taken place in regards to non-local surfers trying to surf in the area. I have spoken to local residents that live in the area and they have expressed fear of going near the area because of threats of injury from the local surfers.

I spoke to the above subjects at the Mobil Gas station in the 2300blk of P.V. Drive West and they seemed visibly shaken and upset. . . asked me, "Am I not allowed to surf there?" I told him that it was a public area and anyone could surf there. He then asked me how someone had the right to prevent him from surfing there. I told him that no one had the right to stop him. I explained to him that suspect#1 and #2 had committed an assault and #3 had used language likely to produce a violent reaction. I also explained the process of a citizen's arrest, due to the fact that the crimes were midsemeanors not committed in my presence. Franco Netto told me that he could recognize suspect#1 and #2 if he saw them again and was desirous of prosecution.

At 1039hrs, Myself, Officer Doherty/723, Sgt. Hanes/716 and the victim and witnesses went to the 2300blk of Paseo Del Mar to see if they could identify the suspects. When we arrived, nobody was standing where victim/witnesses indicated the incident took place. I looked out to the ocean and saw a number of subjects surfing and standing along the waters edge adjacent to the surfers. and . . . said they would walk down to the ocean and paddle out to the surfers to try and identify the suspects. He said he would wave his arms when he identified a suspect. Myself

ADDITIONAL PROPERTY • NARRATIVE

08/04/2016

PALOS VERDES ESTATES POLICE DEPARTMENT

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CONTINUATION OF:	<input checked="" type="checkbox"/> CRIME REPORT	<input type="checkbox"/> INCIDENTAL REPORT	CAO 1951	DR/INCIDENT NO. 95-0062
240PC/415.1PC/422PC	<input checked="" type="checkbox"/> ARREST/BOOKING REPORT	<input type="checkbox"/> SUPPLEMENTAL REPORT	REPORTING OFFICER NAGAHOTO 174	

PROPERTY CODE S - Stolen R - Recovered L - Lost F - Found Em - Embedded D - Damaged E - Evidence
Use all applicable codes, for example, if property is both stolen & recovered, Code is S/R

C	ITEM	ARTICLE NAME	QTY.	SERIAL NO.	BRAND/MAKE	MODEL NAME/NO.	MISC. DESCRIPTION	CODE	VALUE
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and Officer Doherty watched with binoculars as (wearing a neon green wetsuit) and walked past a group of subjects standing on the rocks and then paddled out to a group of surfers. was approximately 10' away from a M/W subject wearing a blk wetsuit, when the subject started quickly paddling towards him, as if to attack him. When the subject got within approximately 2' of immediately turned his board the opposite direction and started frantically paddling, as if to get away from him. The chase continued for approximately 30' until the subject in the black wetsuit turned away.

then waved his hands and pointed toward the subject on the surfboard. I felt that he was identifying one of the suspects and was concerned for his safety. I believe that the subject would have attacked had he not paddled away. I walked down to the shore and called for Harbor Patrol to assist me.

paddled in and told me that he had seen suspect #2 and #3 standing on the shore, but now they were gone. He pointed to a M/W subject, later identified as standing a

few feet away from him and said, "That's the person that tried to attack me in the water."

told me that while he was in the water, started paddling quickly toward him and yelled, "Get out, get out, you can't surf here." He said he told

that he did not want any trouble and he did not want to fight. He said looked mad and continued to paddle towards him. He said when

was within a few feet from him, he turned the opposite direction and quickly tried to paddled away from him. He said Hilton chased him for approximately 30' and then turned away. I asked

if he was fearful of getting hurt and he said, "Yes, he is much bigger than me." He told me that he had seen fights in the water when surfing and the bigger person easily held the smaller person under water. I saw that

was 6-5, 220lbs and was 6-0, 170lbs. then said, "If I said something to you I shouldn't have then I'll apologize."

told me that he wanted to press charges against Because the deliberate manner in which paddled toward

while yelling angrily at him, the fact that he came within feet of striking him with the sharp end of his surfboard, the obvious larger size of than, the fact that he

was afraid of being hurt, I felt that there was probable cause to believe that an assault had occurred. I explained to him the process of a citizen's arrest and

co stated he would sign the arrest form. He then told that he was under arrest for assault.

and myself walked to the top of the cliff, where I handcuffed him and placed him in the back of my police car. I then transported him to the PVEPD station for booking. I had

sign a citizen's arrest form and write a statement as to what happened. Because to's primary language was Portuguese, an interpreter,

was called in to assist in the

ADDITIONAL PROPERTY NARRATIVE

08/04/2016

PALOS VERDES ESTATES POLICE DEPARTMENT

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CONTINUATION OF:

CRIME REPORT

INCIDENTAL REPORT

CAO

1951

DB/INCIDENT NO.

95-0062

ARREST/BOOKING REPORT

SUPPLEMENTAL REPORT

REPORTING OFFICER

NAGAMOTO/726

240 PC / 415.1 PC / 422 PC

PROPERTY CODE S - Stolen R - Recovered L - Lost F - Found Em - Embedded D - Damaged E - Evidence
Use all applicable codes, for example, if property is both stolen & recovered, Code is S/R

C	ITEM	ARTICLE NAME	QTY.	SERIAL NO.	BRAND/MAKE	MODEL NAME/NO.	MISC. DESCRIPTION	CODE	VALUE
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written statement.

At 1430hrs, I interviewed [redacted] in the PVEPD jail. I read to him the Miranda statement from a PVEPD Miranda form. He said he understood his rights, would talk to me and signed the form. I explained the circumstances to [redacted] and he told me that he did not say anything to [redacted] while out in the water. He said that [redacted] must have been scared of him because of the prior incident that took place on top of the cliff. He said he was only paddling the same direction as [redacted]. I told him that I watched the incident take place and it was apparent that he was paddling after him. He denied paddling after him and said, "Maybe I was having some fun with him, but I didn't assault him." He also said, "It doesn't bother me that he paddled away from me, all the better." [redacted] was cited for 240 PC - Assault and 415.1 PC - using language likely to produce a violent reaction.

FURTHER INFORMATION:

[redacted] was also in the water when [redacted] paddled after [redacted] to. He said he was approximately 10 meters away from them and said [redacted] looked mad as he paddled after [redacted] when he almost struck him with the surfboard.

EVIDENCE: None.

ADDITIONAL PROPERTY - NARRATIVE

08/04/2016

EXHIBIT 24



Peter McCullom has been charged with assaulting a surfer. "If this place was ever opened up, it would be packed with lowriders."

tough-talking surfer "go off on me" at Salt Creek north of Dana Point.

"As a surfer, I can understand that surfers do not want outsiders at their break," he said. "But as a Christian and a pastor, I think it's too bad that people are that way. I just told the guy, 'Hey, what's your problem?'"

Peter Navarro, a bodysurfer who is an associate professor in the graduate school of management at UC Irvine and a onetime San Diego mayoral candidate, has seen hassles at several San Diego breaks, including Ocean Beach, Torrey Pines, Del Mar and Trestles. He said the problem comes from overcrowding.

"It has to do with the waves being overpopulated, like much of San Diego," said Navarro, 45, who ran for mayor in 1992 on a slow-growth platform. "The violence isn't just locals versus outsiders. It's local versus local, surfer versus bodyboarder, expert versus novice, longboarder versus short boarder."

In the surf shops north of San Diego, the word is that if you're not a local, do not stop. If you see a certain purple van parked in the lot at Cardiff Beach, the van belongs to a particularly hostile local.

A letter in the June edition of Surfer magazine from a 15-year-old Ventura boy decried localism at Solimar beach. The letter writer, Mike Dixon, told of a tumble in the water when he and a longboarder accidentally collided.

"He came up and started cussing at me and telling me to get the hell out of here and surf somewhere else. I told him I was sorry. He didn't even look at me. I think many surfers are getting way too

At Malibu's Surfrider Beach, surfer and actor Vincent Klyn, 30, puts an environmental spin on localism. Non-locals, said Klyn, who played the murderous villain in Jean-Claude Van Damme's movie "Cyborg," often show a lack of respect for the beach.

"If I see you dropping trash on the beach, I'm going to kick your ass," Klyn said. "If you're not happy, then move to another break because I'm going to be here every time."

Klyn also claims that non-locals are prone to show disrespect toward women surfers, such as Klyn's actress friends, Blueberry Blierque, 27, and Charlene Henryson, 30, by dropping in on their waves without waiting their turn. This too requires Klyn's intervention.

"I just throw [the non-locals] around the water and they get the message," he said.

Surf journalist Chris Ahrens, 46, abhors localism and notes that only a few surfers engage in it. He suggests that far more punches are thrown on basketball courts than at the beach.

At the same time, Ahrens admits to past indiscretions.

"When I was in my early 20s, I went through a period where I was very localistic," he said. "My tactic was to pretend I was out of control and get loud and aggressive. But I realized it was a foolish, regressive way to be, and I was embarrassed."

Lunada Bay has several elements conducive to ferocious localism.

For openers, the neighborhood is one of the most exclusive in Southern California, with a sense of superiority infusing the air like sea spray. A fixer-upper home can cost half a million dollars.

Many of the most dedicated surfers at Lunada Bay are, in the words of Surfer magazine editor Steve Hawk, "trust-fund babies."

The bay is a gorgeous horseshoe of deep green, popular with seals and lobsters. In the winter, the surf is as good as any in Southern California, with waves off the north point up to 20 feet high and offering a long and demanding ride.

And there is only one trail down

the 200-foot cliff, a twisting series of switchbacks that can be treacherous to the unwary.

The lone trail allows the Bay Boys to pinch off access, harassing surfers as they attempt to descend to the beach, or, as was the case with the confrontation between McCullom and the Torrance contingent, allows them to approach outsiders as they reach the top of the cliff and head for their cars.

"Localism is way out of hand at Lunada Bay, and it's been like that as long as there has been surfing," said Eric Cooperman, manager of Natural Progression surf shop in Malibu.

"Localism is very bad in Hawaii, and there are lots of reasons for the locals there to resent the outsiders, but it's not nearly as bad as Lunada Bay," said Nick Carroll, editor-in-chief of Surfing magazine.

□

McCullom sees himself as heroically guarding Lunada Bay against outsiders who would ruin it. By his own admission, he yelled at the Torrance surfers never to return to Lunada Bay, pounded his fist in his palm just short of one surfer's nose, and spewed "Budweiser breath" in his face.

"Those guys at Lunada Bay remind me of the early stages of guys who would become Nazis," Geoff Hagins, 39, a plumber and surfer whose effort to "take back Lunada Bay" led to the confrontation. "They just seem to hate anyone who isn't part of their small group."

Hagins says the police have done nothing to thwart the Bay Boys because it suits the wishes of the residents to uphold the communi-

ty's exclusivity.

But the police deny the allegation and say that they are equally sick of the Bay Boys' intimidation of outsiders and that they welcomed the opportunity to arrest McCullom on a charge of misdemeanor assault.

In January, police arrested another member of the Bay Boys for assault after a skirmish with a Brazilian surfer who had heard of the gorgeous winter swells at Lunada Bay. Threats to trash the Brazilian's car escalated when he paddled out to catch a wave, police say.

McCullom is aware that the law of Lunada Bay does not square with the law of the California Penal Code. But, he says, it is necessary to keep Lunada Bay free of the graffiti, pollution, trash, crowding and unruliness found at other surf beaches where a come-one, come-all attitude is allowed to exist.

"We've protected this beach for years," said McCullom, as he picked up a piece of driftwood. "This is why, so we can have driftwood on the beach rather than Kentucky Fried Chicken boxes. If this place was ever opened up, it would be packed with lowriders, guys in VW bugs, the rocks would be marked with graffiti, and the beach wouldn't be safe at night."

He likens Lunada Bay to a fraternity, a fraternity of local surfers who have inherited a tradition from their fathers and older brothers. If someone from outside shows up and is respectful and accepts some hazing, ultimately, possibly in a few years, he might be accepted as a new member, McCullom said.

But the police in this tiny enclave of affluence—4½ square miles, 14,000 people—find this pose a cover for illegally usurping a public beach into a private club.

They wish that more surfers who are hassled would drop the surfer code of silence and file complaints against the Bay Boys, a name that McCullom hates but acknowledges is used by outsiders to describe him and several dozen other like-minded local surfers.

"It is really frustrating for us," said police Lt. Ed Jaakola. "You can't talk to those guys. There is no reasoning with them. They honestly believe it's their birthright to restrict access to Lunada Bay to only a few [surfers] chosen by the Bay Boys."

Meanwhile, Hagins, whose nephew, Hagan Kelly, is a world-class surfer, vows to see the criminal case against McCullom to the end and also to file a lawsuit if the Palos Verdes Estates City Council rejects the \$6-million claim, which is based on an assertion that the Bay Boys are violating the civil rights of non-local surfers.

"There is no way they should be able to push people off a [surf] break," Hagins said. "That is not surfing."

EXHIBIT 25



PALOS VERDES ESTATES POLICE DEPARTMENT

Officer Report for Incident 14-11980

Nature: ASSAULT
Location: PVEP

Address: 2400 BLK PASEO DEL MAR
PLS VRD EST CA 90274

Offense Codes:

Received By: K. Piazza

How Received: O

Agency: PVEP

Responding Officers:

Responsible Officers: A. Gonzales

Disposition: ACT 11/15/14

When Reported: 12:12:51 11/15/14

Occurred Between: 12:30:00 11/02/14 and 13:30:00 11/02/14

Assigned To:
Status:

Detail:
Status Date: **/**/**

Date Assigned: **/**/**
Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB:

Dr Lic:

Address:

Race: W

Sex: M

Phone:

City:

Alert Codes:

REDACTED

Offense Codes

Reported:

Observed: SUR Surfer Incident

Additional Offense: ASS8 242 Assault, Misdemeanor

Additional Offense: VAN2 594 Vandalism, Felony

Additional Offense: SUR Surfer Incident

Circumstances

DAY Day (6 a.m. - 6 p.m.)

WOTHR Other Force or Weapon Used

Responding Officers:

Unit :

A. Gonzales

7L12

Responsible Officer: A. Gonzales

Agency: PVEP

Received By: K. Piazza

Last Radio Log: 12:42:58 11/15/14 CMPLT

How Received: O Officer Report

Clearance: INV Sent for Detective Followup

When Reported: 12:12:51 11/15/14

Disposition: ACT Date: 11/15/14

08/04/2016

11/15/14

Judicial Status: DONE

Occurred between: 12:30:00 11/02/14

Misc Entry: HELLINGA

and: 13:30:00 11/02/14

Modus Operandi:

Area

Days of Week

Facial Hair

Suspect Actions

Time of Day

Description :

Surrounding area of crime

Days of the Week

Suspects Facial Hair

Suspect Actions

Time of Day

Method :

Public Park

Sunday

Clean Shaven

Used Profanity

Afternoon

Involvements:

Date	Type	Description	Complainant
11/15/14	Name		Initiating Call
11/15/14	Cad Call	12:12:51 11/15/14 ASSAULT	Initiating Call
11/15/14	Property	SIL IPHONE 4 APPLE 8GB 250	Destroyed
11/15/14	Property	BLK Glasses COACH --- 280	Damaged
11/15/14	Property	WHI Shoe NIKE AIR 0	Destroyed
11/15/14	Property	SIL Watch SEIKO DIVER 600	Destroyed

REDACTED

08/04/2016

11/15/14

REDACTED

Narrative

Palos Verdes Estates Police Department
Investigation Narrative

SOURCE: On Saturday, November 15, 2014, I (Officer Gonzales #743) was working uniformed patrol in marked black and white police car #724. At 1212 hours, I was dispatched to the Palos Verdes Estates Police Department lobby in reference to a 240 PC (assault report). Upon arrival, I met with V/. (DOB:

MO: Two unknown suspects throw rocks at as he walks down the trail from the Lunada Bay cliff to the ocean. Once on the beach and in the ocean, a third unknown suspect throws his property into the ocean.

VICTIM'S STATEMENT: V/. told me the following: On Sunday, November Second, 2014, he planned to go surfing at Lunada Bay. At approximately 1230 hours, on the trail leading from the top of Lunada Bay cliff (adjacent to the 2400 block of Paseo Del Mar) down to the beach, he was confronted by two males walking up the trail. The two males stood in V/ path of travel and started to yell profanities at him. They told him, "Don't surf here" and "bad things will happen if you do". V/. described one of the two males, Suspect One, as being white, in his 20's, approximately 5'8 and 180 lbs with black hair, wearing a white T-shirt, red and brown swim shorts, and tennis shoes. He described the second suspect, Suspect Two, as a white male in his 20's, 5'8" and 180 lbs with blonde hair, wearing a beanie, T-shirt, shorts and vans.

V/ continued walking down the trail and passed the two individuals. When he was lower on the trail and the two suspects were higher on the trail above him, they started to throw rocks down at him. Each suspect threw approximately 2-4 rocks at him as he walked down the trail with each rock being roughly half the size of his palm. The rocks came close to hitting him but none actually made contact with him. He felt they were trying to hit him with the rocks and were only missing. After the suspects threw 2-4 rocks, they stopped and continued up the trail. V/ continued down the trail to the beach.

On the beach, he was confronted by a third suspect, Suspect Three. He described the suspect as a male white, in his 30's, approximately 5'5, 135 lbs, with a thin, muscular build. He was wearing a straw hat with the top dome cut off and straw sticks extended upward from the center. The suspect had blue eyes, no facial hair, and was only wearing blue swim shorts.

S-3 told him, "no one wants you surfing here" and started verbally abating him. He then came within two feet of V/ and took an aggressive stance. V/ did not respond and walked away from S-3.

V/ entered the ocean and paddled his surfboard out approximately 30 yards. He then looked back at the beach and saw S-3 rifling through his bright neon green and blue backpack. He saw S-3 take his shoes out of the backpack and toss them out into the ocean. After throwing the shoes, S-3 walked to another part of the beach.

V/ went back to his backpack on the beach. He searched for his shoes but was unable to find them in the water. Inside of his shoes, he had his iPhone, glasses and a watch. After searching for a while he was able to find one shoe and his glasses, though his glasses were damaged. He was unable to find his other property. The approximate total value of the damaged/destroyed property was \$1,130.

08/04/2016

11/15/14

After recovering his shoe and glasses, he left the area and returned to the top of the cliff. He waited as long as he did to report the crime because he was unsure if he wanted to create a report. V/ was desirous of prosecution if any of the three suspects are located and apprehended.

OFFICER'S STATEMENT: After taking V/ statement, I asked him if he could identify the suspects. He said he believed he could identify the two suspects who threw the rocks at him and was certain he could identify the suspect who threw his property into the ocean. Prior to his departure, I gave him a PVEPD business card containing this report number.

EVIDENCE: None.

ADDITIONAL INFORMATION: None.

REDACTED

GONZALES #743

Responsible LEO:

HEWING #100

Approved by:

11-15-14

Date

08/04/2016

11/15/14

EXHIBIT 26



PALOS VERDES ESTATES POLICE DEPARTMENT

Officer Report for Incident 16-01360

Nature: SURFING RELATED

Address: LUNADABAY

Location:

PLS VRD EST CA 90274

Offense Codes:

Received By: H. Menendez

How Received: O

Agency: PVEP

Responding Officers:

Responsible Officers: A. Belda

Disposition: ACT 01/29/16

When Reported: 13:05:42 01/29/16

Occurred Between: 13:03:00 01/29/16 and 13:05:42 01/29/16

Assigned To:

Detail:

Date Assigned: **/**/**

Status:

Status Date: **/**/**

Due Date: **/**/**

Complainant:

Last:

First:

Mid:

DOB: **/**/**

Dr Lic:

Address:

Race:

Sex:

Phone:

City:

Alert Codes:

Offense Codes

Reported:

Observed: PCMO Misd, Penal Code, Other

Additional Offense: DIS1 415 Disturbing the Peace

Circumstances

LT25 Other or Unknown Location

Responding Officers:

Unit:

S. Crisfield

7X3

A. Belda

7A11

R. Schonfeld

7A11

E. Gaunt

7S4

S. Crisfield

7X3

G. Robinson

7S7

Responsible Officer: A. Belda

Agency: PVEP

Received By: H. Menendez

Last Radio Log: 14:39:49 01/29/16 CMPLT

How Received: O Officer Report

Clearance: RTF Report To Follow

08/04/2016

02/23/16

CITY216

When Reported: 13:05:42 01/29/16

Disposition: ACT Date: 01/29/16

Judicial Status: DONE

Occurred between: 13:03:00 01/29/16

Misc Entry: Gaunt

and: 13:05:42 01/29/16

Modus Operandi:

Time of Day

Description :

Time of Day

Method :

Afternoon

Involvements

Date	Type	Description	
01/29/16	Name	MELO, DAVID ROLAND	Suspect
01/29/16	Name	REED, DIANA	Victim 2
01/29/16	Name	WRIGHT, JORDAN ADONI OSCAR	Victim 1
01/29/16	Cad Call	13:05:42 01/29/16 SURF CHECK LB	Initiating Call
01/29/16	Property	BLK Flash Disk Micro XC64GB 0	Evidence / B-1

08/04/2016

02/23/16

Narrative

Palos Verdes Estates Police Department
Investigation Narrative

On Friday, 01-29-16, at approximately 1303 hours, Reserve Officer Schonfeld / #7095 and I (Officer Belda / #731) were working uniformed patrol, monitoring surfer activity with binoculars in Lunada Bay from the cliff's edge.

While monitoring the surfers in Lunada Bay, I observed Jordan Wright (DOB: 01-06-85) and his girlfriend, Diana Reed (DOB: 01-22-87), who I recognized as the reporting parties of a "surf related incident" earlier in the day (see DR: 16-01359 for further), walking from the bottom of the Lunada Bay trail (which extends from the center of Lunada Bay at the cliff's edge down-hill to the shore) toward the Lunada Bay Patio area wearing their wetsuits, with surfboards in hand. The Lunada Patio is a man-made stone patio / platform located at the shoreline on the north-westernmost corner of Lunada Bay's crescent-shaped cove. Wright and Reed made it about half-way to the patio area from the bottom of the trail when they were confronted by a male subject, who was yelling at them. It should be noted that I could see the subject standing approximately 10 feet from Wright and Reed with his arms up and extended to his side as he leaned forward, posturing toward them aggressively, yelling. The subject was yelling so loudly that I could hear him over the crashing waves from where I was observing this at the top of the cliff's edge, a distance of approximately 717 feet (measured with a Kustom Pro Laser III Lidar / Range Finder). As the subject yelled, he paced back and forth in front of Wright and Reed, frequently pointing at them aggressively. From my perspective, the subject appeared to be visibly angry and hostile. Wright and Reed stood in the same place during the incident and their posture appeared to be calm. After about three minutes, the male subject stopped yelling and walked toward the Lunada Bay Patio. From my perspective, neither Wright nor Reed advanced toward the subject or provoked him. Corporal Robinson / #716, Officer Crisfield / #745, and Reserve Officer Schonfeld were standing together at the top of the cliff's edge observing the above incident.

Due to the fact that Wright and Reed had just reported being harassed, the PVEPD has received recent reports of suspected localism and surfer bullying, Reserve Officer Schonfeld, Officer Crisfield, and I responded to the Lunada Bay Patio to investigate what we had just observed and to keep the peace. Upon our arrival, I contacted the male subject previously seen yelling, who was later identified as David Melo (DOB: 11-20-69), and the following is a summary of his statement: He admitted to confronting and yelling at Wright and Reed, explaining that he "welcomed them", but extended the welcome "sarcastically." He also told them the surf was dangerous in Lunada Bay, but never threatened them. While speaking with Melo, he repeated that he didn't do anything that was illegal.

I then contacted Wright and Reed, who were waiting approximately 50 feet east of the patio on the shoreline. The following is a summary of their statement: While walking along the shoreline of Lunada Bay with the intent to get into the water and surf, they were both confronted by a male subject who began yelling at them unprovoked. The man yelled statements including, but not limited to:

"Fucking Assholes, you Kooks."

"Get out of here. This is our surf break, don't surf here."

"You're going to regret surfing here."

08/04/2016

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"It's dangerous out here."

"If you stay here, you're going to get hurt."

"Freedom of speech, I can say whatever the fuck I want."

The rant lasted about 3 minutes. When the man yelling was finished, he walked away toward the patio. Both Wright and Reed explained that they were in fear for their safety when confronted by Melo. They perceived his words to be threats to their safety, and believed they were offensive and inherently likely to provoke an immediate violent reaction (although they remained calm).

Wright told me that he captured the incident on his GoPro digital video camera. It should be noted that his camera was not equipped with a playback function and therefore the footage could not be reviewed in the field. Wright and Reed were both desirous of placing Melo under citizen's arrest for violation of 415(3) PC - Fighting, Causing Loud Noise, or Using Offensive Words in Public Place. I explained the potential liabilities associated with making a private person / citizen's arrest and that they had the additional option of requesting that the incident be documented by the PVEPD and the report could be presented to the District Attorney by way of complaint; however, they were adamant in making a citizen's arrest.

Based on the above information, Officer Crisfield and Reserve Officer Schonfeld walked Melo up the Rocky Point stairwell and drove him to the 2300 block of Lunada Bay, where Sergeant Gaunt / #722 and Corporal Robinson were observing from above. I walked Wright and Reed up the Lunada Bay trail and met with all of the above officers.

Once at the top, Wright and Reed changed their minds about making a citizen's arrest and requested that the PVEPD document the incident and submit the case to the District Attorney's Office for consideration of filing charges against Melo to avoid incurring additional potential liability. Officer Schonfeld advised me that Melo told him he had a camera (unknown if still or video, or whether a camera existed at all) in his pocket at the time of the incident but was given to a friend (NFD) after the incident for safekeeping. I requested that Melo submit the camera and its contents if located to the PVEPD to assist with the investigation. Wright provided me with the removal digital flash disk containing the above mentioned footage of the incident (E-1).

Based on all of the above information, Melo was subsequently released on his own recognizance after being provided with this report number. I transported Wright's flash disk (E-1) to the PVEPD where I attempted to review the footage; however, I was unsuccessful due to technical difficulties. I booked the flash disk (E-1) into PVEPD Evidence Locker #13 (see attached evidence involvement).

I recommend this case be forwarded to the PVEPD Detective Bureau for further investigation (including the review of Wright's flash disk (E-1) for potential evidence) and submitted to the Los Angeles County District Attorney's Office, Torrance Branch, for consideration of filing the following charge against David Melo:

415(3) PC - Fighting, Causing Loud Noise, or Using Offensive Words in Public Place: Any person who uses offensive words in a public place which are inherently likely to provoke an immediate violent reaction.

08/04/2016

02/23/16

Responsible LEO:

Approved by:

Date

08/04/2016

02/23/16

EXHIBIT 27

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

CORY SPENCER, an individual;)
DIANA MILENA REED, an)
individual; and COASTAL)
PROTECTION RANGERS, INC., a)
California non-profit public)
benefit corporation,)

Plaintiffs,)

vs.)

No. 2:16-CV-02129-SJO
(RAOx)

LUNADA BAY BOYS; THE)
INDIVIDUAL MEMBERS OF THE)
LUNADA BAY BOYS, including)
but not limited to SANG LEE,)
BRANT BLAKEMAN, ALAN JOHNSTON)
AKA JALIAN JOHNSTON, MICHAEL)
RAE PAPAYANS, ANGELO FERRARA)
FRANK FERRARA, CHARLIE)
FERRARA, and N.F.; CITY OF)
PALOS VERDES ESTATES; CHIEF)
OF POLICE JEFF KEPLEY, in)
his representative capacity;)
and DOES 1-10,)

Defendants.)

DEPOSITION OF

ALAN JOHNSTON

IRVINE, CALIFORNIA

JULY 28, 2017

ATKINSON-BAKER, INC.
COURT REPORTERS
www.depo.com
(800) 288-3376
REPORTED BY: MELISA RUSSIE, CSR NO. 7040
FILE NO.: AB06A2B

1 Q They didn't ask you to stop doing that; is that 11:15:46
2 correct? 11:15:49

3 A No. Yeah. 11:15:49

4 Q That's correct? 11:15:50

5 A That's correct. 11:15:51

6 Q Mr. Johnston, you've been handed what has been 11:15:51
7 marked as Exhibit 342? 11:17:03

8 A Uh-huh. 11:17:05

9 (Plaintiff's Exhibit 342 was marked for
10 identification by the court reporter.)

11 BY MS. POOLEY:

12 Q Seven-page document identified or labeled as 11:17:06
13 Defendant Johnston Cell Record Detail. 11:17:12

14 Have you ever seen Exhibit 342 before? 11:17:16

15 A Yeah. 11:17:18

16 Q And is Exhibit 342 a printout of text messages 11:17:19
17 that you sent and received on your cell phone? 11:17:34

18 A Yes. 11:17:37

19 Q If you could turn, please, to the fifth page, 11:17:37
20 marked page 5 of 7. So on the left-hand column there 11:18:01
21 are sort of identifying entry numbers, so at the very 11:18:42
22 bottom of page 5, last one is 1839. 11:18:48

23 Do you see that? 11:18:51

24 A 1839? 11:18:53

25 Q The far left. 11:18:54

1	A	<u>Okay. Yeah.</u>	11:18:53
2	Q	<u>So that we can use those numbers to refer to</u>	11:18:58
3		<u>the various lines in here?</u>	11:19:01
4	A	<u>Okay.</u>	11:19:02
5	Q	<u>Do you understand?</u>	11:19:03
6	A	<u>Yeah.</u>	11:19:03
7	Q	<u>Okay. Good. So on April 6th, 2016 did you</u>	11:19:04
8		<u>send someone a link to an article about this lawsuit?</u>	11:19:13
9	A	<u>Yes.</u>	11:19:24
10	Q	<u>Who did you send that to?</u>	11:19:25
11	A	<u>I don't know. I have no idea.</u>	11:19:29
12	Q	<u>Who is Logan Clark?</u>	11:19:30
13	A	<u>Logan Coke, you mean.</u>	11:19:38
14	Q	<u>Yes. Who is Logan Coke?</u>	11:19:40
15	A	<u>A buddy of mine in Hawaii.</u>	11:19:41
16	Q	<u>And on -- if you look at line 1836.</u>	11:19:43
17	A	<u>Uh-huh.</u>	11:20:01
18	Q	<u>A few above that. On April 6th, 2016, did you</u>	11:20:02
19		<u>send a text message that is reflected in the message</u>	11:20:13
20		<u>column for that date and that number 1836?</u>	11:20:23
21	A	<u>Uh-huh. Yes.</u>	11:20:30
22	Q	<u>Can you read what your text message was?</u>	11:20:31
23	A	<u>"Haha. Stir the pot with heckling! Bra us</u>	11:20:34
24		<u>locs are being sued over here for being locs."</u>	11:20:40
25	Q	<u>Who did you send that message to on April 6th,</u>	11:20:42

1 2016? 11:20:45

2 A Probably the same person. Logan Coke. I don't 11:20:46

3 know. It doesn't say the number that I sent it to, 11:20:48

4 because I was speaking pigeon so it was probably 11:20:51

5 somebody in Hawaii. 11:20:54

6 Q Okay. Then above that, the number 1046? 11:20:55

7 A Uh-huh. 11:21:05

8 Q On February 13th, 2016. Strike that. Go up a 11:21:06

9 line to 1045. 11:21:22

10 A Uh-huh. 11:21:23

11 Q On February 13th, 2016. Did you receive a text 11:21:24

12 message from Jan Weekley? 11:21:29

13 A Yes. 11:21:30

14 Q Who is Jan Weekley? 11:21:30

15 A My mother. 11:21:32

16 Q And what was her message on that date? 11:21:33

17 A Says "I miss Crickey already. How is she? 11:21:36

18 What happened at the bay?" 11:21:39

19 Q Then is your response to her on line 1046? 11:21:42

20 A I'm not sure. 11:21:51

21 Q Did you send a text message that is reflected 11:21:52

22 on line 1046 on February 13th, 2016, 4:11 p.m. 11:22:00

23 A You want me to answer did I send that? 11:22:18

24 Q Yes. 11:22:20

25 A Yes. 11:22:21

1 Q What was that message? 11:22:21
2 A "She's good. Nothing happened. A couple of 11:22:23
3 trolls. They got nothing." 11:22:26
4 Q And you don't believe that is a response to 11:22:29
5 your mother's question about how Crickey is and what 11:22:34
6 happened at the bay? 11:22:37
7 A It could be. 11:22:38
8 Q You don't recall? 11:22:38
9 A No. 11:22:40
10 Q What did you mean by "nothing happened really"? 11:22:40
11 A I don't know. It could have been like a 11:22:51
12 response to what happened at one of their little bay 11:22:54
13 surf day things that they organize. 11:22:58
14 Q What do you mean by -- what did you mean by 11:23:02
15 "couple trolls"? 11:23:08
16 A Just couple of outside people. Outsiders. 11:23:08
17 Q Trolls is a word for outsiders? 11:23:10
18 A Yeah. 11:23:13
19 Q And "they got nothing", what did you mean by 11:23:13
20 that? 11:23:17
21 A It means that they didn't get any surf. 11:23:17
22 Q Why did they get no surf? 11:23:20
23 A I don't know. Maybe there was no waves or -- I 11:23:35
24 can't remember if that year in 2016 when they came if it 11:23:38
25 was flat or not. I think it was. 11:23:42

Exhibit 28

Excerpts from Guardian Video

Defendant Sang Lee

"You shouldn't fucking come down here. Stay away from this area, this bay right here."

"The Reason there's a lot of space is because we keep it like that. We fucking hassle people."

"We'll burn you on every single wave."

"There are still a lot of fights down here. People will just fucking duke it out, fucking work your car and get in fights."

Palos Verdes Estates Community Service Officer Catherine Placek

"We know all of them. They're infamous around here. They are pretty much grown men in little men's mindset. They don't like anyone that's not one of the bay boys, surfing down there. It literally is like a game with kids on a schoolyard to them. And they don't want you playing on their swing set. You know, it is what it is. If you feel uncomfortable, you know then don't do it."

EXHIBIT 29

STATE OF CALIFORNIA - NATURAL RESOURCES AGENCY

EDMUND G. BROWN, JR., Governor

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



January 21, 2016

Chief Jeff Kepley
Palos Verdes Estates Police Department
340 Palos Verdes Drive West
Palos Verdes Estates, CA 90274

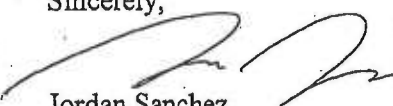
Dear Chief Kepley:

The issue of access in Lunada Bay, and your commitment to ensure public access to the coastline of Palos Verdes Estates generally, through taking action against the activities of some individuals to deter the rightful use of the coast by others, has come to the Commission's attention, and, first and foremost, we're writing to commend your efforts and voice our support for the City's actions to protect public access to the coast, a mission that the City and Commission both share. Although some of the alleged activities described in various accounts of the activities at issue appear to be criminal in nature, and you and your Department of course possesses the expertise in such matters, it is also true that these activities also constitute 'development' under the Coastal Act and Palos Verdes Estates Local Coastal Program ("LCP"), as explained below, and, thus, we are also writing to lend our support to any action the City may take to enforce its LCP.

Precluding full public use of the coastline at Palos Verdes Estates, including the waters of Lunada Bay, whether through physical devices, such as construction of a fence, or nonphysical impediments, such as threatening behavior intended to discourage public use of the coastline, represents a change of access to water, and, thus, constitutes development under the Coastal Act and the Palos Verdes Estates LCP. No coastal development permit has been issued to authorize this activity, therefore, it is a violation of the LCP. The LCP includes remedies for violations of the LCP, Section 19.02. We realize that the City also has police powers and other authorities, but would just note that in addition, this enforcement tool arising from the Coastal Act and the LCP issued thereunder is also at the City's disposal to help ensure full public access to the coast. We have also received reports of unpermitted structures, including stone forts, constructed on the shoreline of Lunada Bay. Pursuant to the permitting requirements of the LCP, the construction of a structure is also development that is within the power of the City to address, and which requires authorization under the LCP, or if lacking, would be a violation of the LCP as well.

We would be happy to meet to discuss this matter and collaborate with the City in their efforts to ensure enjoyment of the coastline by all Californians and visitors alike. Please do not hesitate to call the South Coast District office for any further information regarding the content of this letter; I can be reached at (562) 590-5071.

Sincerely,


Jordan Sanchez
Enforcement Analyst

08/04/2016

EXHIBIT 30

CALIFORNIA COASTAL COMMISSION

South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302
(562) 590-5071



Sent via Email and Regular U.S. Mail

June 6, 2015

Anton Dahlerbruch, City Manager
City of Palos Verdes Estates
340 Palos Verdes Drive West
Palos Verdes Estates, CA 90274

Dear Mr. Dahlerbruch:

Commission staff would like to thank you, Chief Kepley, and your staff for meeting with us on Tuesday May 10th, 2016 to survey Lunada Bay, discuss issues related to public access to the bay and coastline, and inspect the unpermitted stone fort located along the shoreline on City property. We appreciate the time that you took out of your day to walk the site and discuss the issues at some length. Staff remains committed to working with the City in order to address the unpermitted development that has occurred at the site, which is described in more detail in our letter dated, January 21, 2016, and to improve access to Lunada Bay for both local residents and visitors alike. As you know, Lunada Bay is one of California's dramatic coastal features and a treasure for all of the state's residents and visitors to discover and enjoy. We feel there are measures, which are described in more detail below, available to the City to ensure that this happens. Commission staff are of course ready to assist the City with planning and permitting matters that arise over the course of resolving these issues.

As discussed during our meeting, in order to resolve the issue of the unpermitted stone fort, the City must obtain a Coastal Development Permit to either remove or retain the stone fort. As we conveyed to you at the meeting, given the inconsistency with policies of the Coastal Act and related policies of the City's local coastal program that restrict development immediately on the shoreline, it is not likely that staff could support approval of a private structure on the shoreline, such as in the location of the stone fort. Thus, in order for a request to retain the structure in place, even if the structure is reduced in mass, to be favorably considered, such a request should be accompanied with a proposal to institute a comprehensive public access program that clearly identifies, through signage at major streets, at the coastline, and on trail maps, the structure as a public amenity and open to all. We understand that the preparation of a local Coastal Development Permit will take some time, and for that reason, we are requesting that you begin this process by **July 6, 2016** in order to as quickly as possible start to resolve the issue of the unpermitted stone fort and in doing so eliminate any negative effect it may have as a quasi-private structure on public access to the coast.

The second issue we discussed is the threatening behavior by certain individuals, that has unfortunately resulted in preclusion of public access to the coastline at Lunada Bay, and that is squarely within the City's police powers to address. That said, Commission staff believes that the addition of public access amenities such as signage displayed on Palos Verdes Drive inviting the public to Lunada Bay, and the addition of picnic tables and benches, observation binoculars, and interpretive signage at the City bluff top park above Lunada Bay, should be installed in order to

08/04/2016

at least partly deter this behavior by increasing the public's use and access to this area. We would be glad to also discuss any other suggested measures to clarify the public nature of this area and to discourage actions taken to discourage public use. We would like to ensure that the public may access Lunada Bay freely and that steps to ensure that this is the case are taken quickly in order to avoid any further loss of access to the coast. With that urgency in mind, and so staff may have a clearer picture of its options to address this matter, please submit plans to install the public access improvements mentioned above, to the Commission's South Coast District Office by **July 6, 2016** for our consideration. In the interim, please feel free to contact me if you have any questions about this letter, and please contact me by **June 21st, 2016** to discuss how the City intends to proceed to address the issues described above.

We share your appreciation for the beauty of Lunada Bay, and we look forward to working collaboratively with the City to resolve the matter in a manner that preserves the aesthetic character of the bay and coastline and puts amenities in place that welcome the public to enjoy this resource as well.

Sincerely,

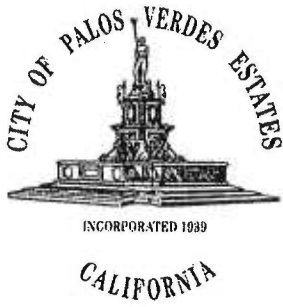


Jordan Sanchez
Enforcement Officer
California Coastal Commission

cc: **Lisa Haage, Chief of Enforcement, CCC**
Andrew Willis, Southern California Enforcement Supervisor, CCC
Steve Hudson, Deputy Director, CCC
Teresa Henry, District Manager, CCC
Chuck Posner, Planning Supervisor, CCC
Sheri Repp-Loadsman, Planning Director, PVE
Jeff Kepley, Chief of Police, PVE

08/04/2016

EXHIBIT 31



CITY OF
Palos Verdes Estates

OFFICE OF
THE CITY MANAGER

June 7, 2016

Jordan Sanchez, Enforcement Officer
California Coastal Commission
South Coast Area Office
200 Oceangate, Suite 1000
Long Beach, CA 90802-4302

Via Email and U.S. Mail

RE: Letter of June 6, 2016

Dear Mr. Sanchez:

As you are fully aware, the City of Palos Verdes Estates has been actively reviewing and investigating the issues associated with the patio structure in Lunada Bay. Staff efforts in this regard began before Coastal Commission staff's inquiry and before the lawsuit alleging Coastal Act violations arising from the patio structure. The patio is apparently a very old structure and its removal may threaten the stability of the adjacent bluff. The complexity of the situation has presented no easy or immediate answer. In City staff's conversations with you and through meeting in your office and at the site of the patio structure, both at the City's request, we have emphasized our commitment to resolving this matter as soon as reasonably possible. In these meetings, we also appreciate that Coastal Commission staff has supported our efforts and, in turn, served as a resource toward developing an appropriate plan. And as discussed, we are counting on your continued involvement, in partnership, as we work toward a mutually acceptable resolution.

City staff is evaluating alternatives for addressing the patio structure; a geotechnical overview is underway to determine the options and specifications for removal of the patio structure. Final decisions must await the results of this geotechnical overview. We estimate that September 2016 will be the soonest that recommendations for the patio structure will be presented to the City Council for direction. With City Council direction in September, the permitting process for any decision will follow; it will commence with a Planning Commission public hearing, potentially on October 18, 2016. In the meantime, the City is also implementing a beach clean-up in the area.

We appreciate your support of our on-going efforts to preserve the pristine, natural condition of the coastline that provides for public use and enjoyment of Lunada Bay, and we look forward to continuing to work with you.

08/04/2016

June 7, 2016

Page Two

Sincerely,

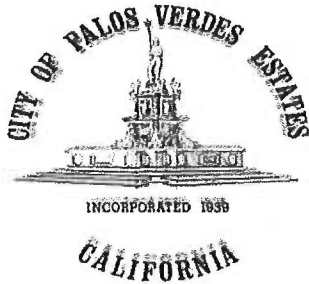


Anton Dahlerbruch
City Manager

c: Mayor and City Council
Jeff Kepley, Police Chief
Sheri Repp-Loadsman, Deputy City Manager / Planning & Building Director
Lisa Haage, Chief of Enforcement, CCC
Andrew Willis, Southern California Enforcement Supervisor, CCC
Steve Hudson, Deputy Director, CCC
Teresa Henry, District Manager, CCC
Chuck Posner, Planning Supervisor CCC

08/04/2016

EXHIBIT 32



MEMORANDUM

Agenda Item #: 7

Meeting Date: July 12, 2016

TO: HONORABLE MAYOR AND CITY COUNCIL

THRU: ANTON DAHLERBRUCH, CITY MANAGER /s/

**FROM: SHERI REPP-LOADSMAN, DEPUTY CITY MANAGER / PLANNING
AND BUILDING DIRECTOR /s/**

**SUBJECT: RECOMMENDATION TO REMOVE THE UNPERMITTED PATIO
STRUCTURE ON THE SHORELINE IN LUNADA BAY**

DATE: JULY 12, 2016

ISSUE/PURPOSE

Shall the City Council direct staff to process a Coastal Development Permit for the removal of the unauthorized patio structure on the shoreline in Lunada Bay?

BACKGROUND

The City of Palos Verdes Estates has a long established history of maintaining its shoreline for passive public enjoyment. By maintaining natural parklands, shoreline access, unrestricted parking, and unobstructed bluff tops, residents and visitors have the opportunity to enjoy extensive views and public open space. In March 1970, the City formulated a Shoreline Preserve Master Plan with the primary objective "to preserve the shoreline...in its natural state as nearly as possible, while at the same time provide for the use and maintenance of the area in a manner and under conditions which will not conflict with that primary objective."

In 1991, the California Coastal Commission certified the Palos Verdes Estates Local Coastal Program (LCP). According to the LCP, the City's entire 4 ½ mile shoreline and approximately 50 percent of the bluff is designated as open space. Uses permitted in the open space zone designation include undeveloped open space available for visual and physical enjoyment of the public and classroom facilities for public schools.

Under the City's Shoreline Preserve Master Plan, Tide Lands Grant and General Plan, the shoreline, bluff top, bluff face and submerged lands are to be preserved and maintained in their natural state. The City's LCP recognizes that access to the shoreline is hindered by the extremely high steep coastal bluffs. The two best access paths are Swim Club Road leading to "RAT" beach and Flat Rock Point Path leading to Bluff Cove. Lunada Bay is identified as having an access path that is less heavily used because of its steepness. All three locations have unrestricted public parking.

The City's land use policies seek to preserve the public's enjoyment of the shoreline and bluff top. The pathways are cleared of vegetation to allow for ease of access. Signs are posted along the entire shoreline acknowledging the Palos Verdes Estates Shoreline Preserve. As noted in the California Coastal Trail website, the "trail follows the bluffs in unmaintained native habitat with spectacular vistas." Private development is located on some of the bluff areas requiring access along the streets in some sections. The California Coastal Trail website also notes that the "shoreline is traversable at low tide. There are many treacherous 'surfer trails' to the shoreline. Official access routes exist only at Malaga Cove and Bluff Cove." The specific description for Lunada Bay notes scenic bluff top trail, no safe beach access, free public parking and no facilities. Historical documents refer to the City authorizing a pathway to the shoreline in Lunada Bay in 1972 that remains today. In 2015, the City demolished 7 private residences in Bluff Cove to create open space and return valuable land to public use and access. Just recently, the City Council approved "sitting rocks" on the Bluff Cove properties for improved utilization of these restored properties.

Annually, the City also conducts "beach clean-ups" with Heal the Bay and with community groups. While usually in the Malaga Cove area, they are held in Bluff Cove and Lunada Bay from time-to-time. The next clean-up in Malaga Cove, Bluff Cove and Lunada Bay is scheduled on September 17, 2016. Continued attention toward maintaining the bluff tops and shoreline in Palos Verdes Estates has resulted, in part, on receiving excellent grades for water quality along the coastline.

Lunada Bay Patio

The structure was constructed without City approval by unidentified persons. It is believed that members of the public approximately 30 years ago began constructing the stone retaining walls and a patio structure along the northwestern section of Lunada Bay. The location is adjacent to the closest access point to the surf and provides a viewing spot of the coast and surfing activity. Over time, a barbeque, table, seating and shade structures were added. The patio structure is a congregation area. Concerns over "localism" caused by certain individuals dissuading or intimidating the general public from enjoying Lunada Bay resulted in the City adopting an ordinance in 2002 addressing the use of public beaches and prohibiting conduct that blocks access (PVEMC Chapter 9.16). In 2002, the City also removed the shade structure and other components of the unauthorized patio. The stone retaining walls and raised stone floor were left in place.

At the City Council meetings of July 28, 2015 and January 13, 2016, City staff discussed unpermitted parklands encroachments and noted that the Lunada Bay patio structure was one of the identified encroachments that must either be removed or obtain authorization to remain.

Subsequent to this presentation, the California Coastal Commission has corresponded and met with City staff to advise that this unpermitted structure must be permitted for removal or for retention.

Over the past several months, City staff have participated in a number of meetings with directly interested parties where the Lunada Bay patio structure has been a specific discussion topic. Meetings have been held with representatives of the Lunada Bay Homeowners Association, Surfrider Foundation, and Heal the Bay. With recent media attention to the Lunada Bay area, a variety of residents and non-residents alike have also communicated opinions to the City.

Concurrently, the City has now obtained a geotechnical report addressing the patio structure for understanding the implications for its removal, and met with the California Joint Powers Insurance Authority (CJPIA) to understand the risk and liability associated with either maintaining or removing the structure. Both contribute to staff's recommendation for action. The recommendation is not related to police patrol because matters related to individuals' behavior at/on the water may exist regardless of whether the structure remains or is removed; policing is an independent matter.

DISCUSSION

Staff has conducted a thorough evaluation of the options for retaining or removing the unpermitted Lunada Bay patio structure. A decision to retain or remove the structure requires a Coastal Development Permit that necessitates a public hearing by the Planning Commission and acceptance of their conclusion by the City Council. Thereafter, a 10 working day appeal period will allow the Coastal Commission to evaluate the City's plan of action for the patio structure. If the Coastal Commission receives an appeal, it will conduct a hearing and provide input to the City, thus potentially delaying the City's plan of action.

In consultation with the City's geotechnical consultants, GeoKinetics, there will be no significant impact for removal of the patio structure. The GeoKinetics report states that the cemented stone patio structure and associated retaining walls at the base of the bluff below 221 Rocky Point Drive are not engineered structures, and their removal is considered feasible from a geotechnical standpoint. Per the California Joint Powers Insurance Authority (CJPIA), the City will also eliminate its exposure to potential liability and risk by removal of the patio structure. This report alleviates the major concern with removal.

The City's Coastal Regulations (PVEMC Title 19) protect undeveloped natural land in open space available for visual and physical enjoyment by the public and preserve parklands within the coastal zone for public park use. The patio structure consists of cemented stone retaining walls, a cemented stone patio with a stone table, fire pit, stone bench and a wood shade canopy, and an adjacent seating area with a wood bench covered by a wood-frame palm frond shade canopy. There are no permits for any of the existing improvements.

Therefore, recognizing that the patio structure is unpermitted and the City strives to maintain the natural environment along the shoreline and bluffs, staff recommends seeking a permit for the immediate removal of the patio structure. With the City Council's concurrence, the permit application will be appropriately noticed and scheduled on the Planning Commission

agenda for September 20, 2016. Concurrently, the removal project will be bid for deconstruction. As such, it is intended that the structure will be removed in advance of the winter season storms.

FISCAL IMPACT

It is estimated that the cost of deconstruction and debris removal will not exceed \$50,000. Funds are available in the Capital Improvement Fund for an appropriation when the bid for the project is awarded.

NOTIFICATION

The Planning Commission, Parklands Committee and Traffic Safety Committee have been provided a copy of this report. In addition, a copy of this report has been provided to the California Coastal Commission, Surfrider Foundation, Heal the Bay, Lunada Bay Homeowners Association and Palos Verdes Homes Association. This item has been noticed consistent with requirements and City practices.

ALTERNATIVES

The alternatives available to the City Council include:

1. Approve the staff's recommendation to process a Coastal Development Permit for removal of the patio structure.
2. Direct a public hearing for retaining the patio structure.
3. Request further information.
4. Provide alternative direction.

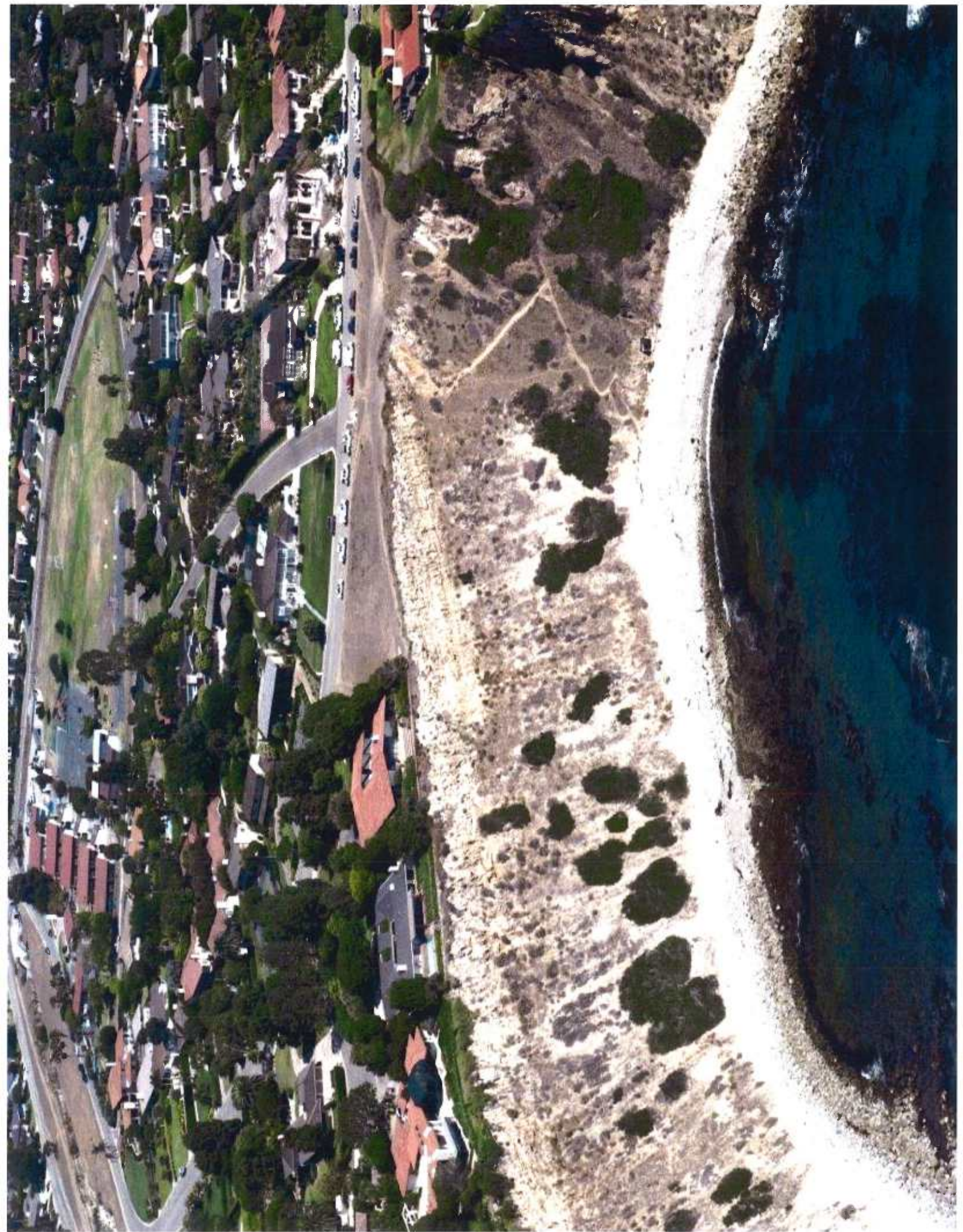
Alternative #1 is recommended for reverting the shoreline to its natural, native condition, eliminating a structure on the shoreline, reducing the City's potential exposure to risk and liability associated with use of the structure, and possibly avoiding on-going maintenance of the structure. While Alternative #2 is not staff's recommendation, the option may have community interest. It is staff's understanding that through the years and its various states of development (and removal), the patio structure is used by individuals and groups visiting the area for surfing, viewing, and general gathering year-round; retaining the structure may have community value as public space.

CONCLUSION/RECOMMENDATION

It is recommended that the City Council direct staff to schedule a public hearing before the Planning Commission to be held on September 20, 2016 for removal of the unpermitted patio structure along the shoreline in Lunada Bay.

ATTACHMENTS:

- A – Geotechnical Report
- B – CJPIA Report
- C – Letters from California Coastal Commission
- D – Response letter to California Coastal Commission
- E – PVEMC Chapter 9.16 Use of Beaches
- F – Coastal Commission Appeal Process
- G – California Coastal Trail Information



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PROOF OF SERVICE
Spencer, et al. v. Lunada Bay Boys, et al.
(Los Angeles County Superior Court Case No. BC629596)

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of San Francisco, State of California. My business address is 425 Market Street, 26th Floor, San Francisco, CA 94105.

On **April 13, 2018**, I served a true copy of the following document(s) described as:

- 1. FIRST AMENDED CLASS ACTION COMPLAINT FOR:**
 - 1. Violation of California Coastal Act**
 - 2. Violation of The Bane Act**
 - 3. Public Nuisance**
 - 4. Assault**
 - 5. Battery**
- JURY TRIAL DEMANDED; and**

- 2. AMENDED SUMMONS**


on the interested parties in this action as follows:

SEE ATTACHED ELECTRONIC SERVICE LIST

BY ELECTRONIC SERVICE: Pursuant to Court Order Authorizing Electronic Service, dated September 7, 2016, I provided the document(s) listed above electronically on the CASE ANYWHERE Website to the parties on the Service List maintained on the CASE ANYWHERE Website for this case, or on the attached Service List. Case Anywhere is the on-line e-service provider designated in this case.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **April 13, 2018**, at San Francisco, California.



Ann D. Ghiorso

Electronic Service List

Case: **Spencer, et al. v. Lunada Bay Boys, et al.**

Case Info: **BC629596, Los Angeles Superior Court**

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PROOF OF SERVICE
Spencer, et al. v. Lunada Bay Boys, et al.
(Los Angeles County Superior Court Case No. BC629596)

STATE OF CALIFORNIA, COUNTY OF SAN FRANCISCO

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1. FIRST AMENDED CLASS ACTION COMPLAINT FOR:

- 1. Violation of California Coastal Act**
- 2. Violation of The Bane Act**
- 3. Public Nuisance**
- 4. Assault**
- 5. Battery**

JURY TRIAL DEMANDED; and

2. AMENDED SUMMONS

on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the person(s) at the address(es) listed in the attached Service List By Mail and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Hanson Bridgett LLP's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on **April 13, 2018**, at San Francisco, California.



Ann D. Ghiorso

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SERVICE LIST BY MAIL
Spencer, et al. v. Lunada Bay Boys, et al.
(Los Angeles County Superior Court Case No. BC629596)

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